1309. Wagner, Jerry
He called to ask for permission for his salary to include stole and stipend fees beginning in fiscal '82-'83. Wenig assured him that it could be worked into the budget. He will be available for approximately 30 weekends per year and these will be known in advance. I told him to put his request in writing to me.

10/26/81

1090. Wagner, Jerome
Father Hornacek reported that he had a good meeting with Wagner. Wagner, contrary to reports, is open to a variety of assignments and does not feel that he has to be a pastor at this time. He will leave office the first week of February and his position will be open listed at that time. Although Father Heppe has been suggested to be his successor, this is not a foregone conclusion.

12/9/82

206. Wagner, Jerome
On Friday, October 10, 1985 Father Ralph Gross received a phone call from postal inspector [redacted] regarding the possibility of pornographic material being sent to Jerry at the rectory. On Tuesday, October 15, 1985 Archbishop Weakland was able to speak with [redacted] directly by phone and learned that as postal inspector he had been directed by an assistant district attorney to watch for this material but had not found any evidence of such activity. He called to indicated his concern if such was the result of the activity of the Justice Department in Waukesha County.

RJS

140. Wagner, Jerome
On Monday, March 17, 1986 [redacted] a [redacted] at [redacted] called inquiring about a police visit to his son over the weekend. I encouraged candid cooperation in an effort to clear any unfounded allegations.

RJS

165. Wagner, Jerome
On Wednesday, April 9, 1986 I had a long telephone discussion with Jerome who reported that legal action has been dropped and that his two lawyers are reviewing the initial deal to see if reassignment remains a requirement immediately, in June or in one year. While he does desire to respect the initial agreement, he believes that the entire matter rests with one policeman and in view of significant cooperation with the police force in a variety of local issues that initial agreement might be reviewable. I discovered that he is not listed for reassignment according to personnel records and he promised to stay in touch.

RJS

167. Wagner, Jerome
On Monday, April 14, 1986 I received another phone call from [redacted] stating that police are affirming to him that polygraphs have verified the charges against Jerry, and asking when Jerry will be transferred. I subsequently called Jerry and informed him of this development requesting that he contact us as soon as he receives some information from the lawyers regarding his obligation to move as part of the original agreement.

RJS

172. Wagner, Jerome
On Wednesday, April 16, 1986 I had lunch with Jerry and discussed the matter thoroughly. We also spoke on the phone countless times in the course of the week. I consulted with Attorney James Young (office--274-2421, home--[redacted]. The final conclusion was that the police seem to have acted very unprofessionally and unfairly. It is Jerry's conclusion that all things considered, he should move. He will place a letter in the bulletin this week in the hope of an assignment early in May. I had a long conversation with [redacted] who was much more understanding and supportive at the end of our discussion. Discussions with Attorneys result in an agreement that there will be no charges regarding activity with teenagers since nothing is substantiated in that regard, and there will be no prosecution regarding alcohol given to minors. I will meet with [redacted] in order to be supportive during this time of transition.

RJS

214. Wagner, Jerome
On Tuesday, May 13, 1986 I met with [redacted] a parishioner of St. Jerome Parish in Oconomowoc, who desired to state her firm support for Jerry, even knowing the entire situation and her unhappiness with the way in which detectives dealt with her son during the investigation last Fall.

RJS

581. Wagner, Jerome
On Saturday, November 15, 1986 I received a phone call from Jerry indicating that he had received a letter from the [redacted] who reported that their son, [redacted] was charged with alcohol abuse and asking for information regarding how Jerry had avoided further judicial action. Jerry will formulate a response and circulate it to our office and Joe Dean's office before sending it out.

RJS

374. Wagner, Jerome
On Thursday, July 30, 1987 I met with Jerry at St. Louis rectory in order to see how things were going after his first year in Fond du Lac. We discussed Hispanic ministry, his relationship to St. Patrick Parish and to St. Jerome's in Oconomowoc.

RJS

323. Wagner, Jerome
On Tuesday, April 12, 1988 I spoke with Jerry who indicated that he had decided to postpone his sabbatical from the fall of 1988 due to his own adjustment to the death of his mother and a variety of pressures from within the Fond du Lac community. He will be discussing the matter with Tom Darrow.

RJS

851. Wagner, Jerome
On Tuesday, October 23, 1990 I spoke with Jerry alerting him to some of the concerns for his health, overwork and other issues related to his pastoral ministry which had begun to surface in the context of the periodic review process.

RJS

443. Wagner, Jerome
On Friday, April 26, 1991 Laurin Wenig called the office to report that Jerry had a minor stroke on Monday, April 22, 1991 but is currently back at the rectory awaiting further tests.

RJS

797. Wagner, Jerome
On October 30, 1992 I receive a call from [redacted] who is a social worker for Fond du Lac County. She said 2-3 months ago she overheard a conversation among some detectives of the county regarding Jerry Wagner. She said they were aware of some allegations regarding Jerry from a different county and that they are waiting to get him. She said she has not seen anything in her Department against Jerry and is sure she would be aware of it. [redacted] was very pleasant and said she is a good Catholic. She is not a member of Jerry's Parish but thought in light of the news, she would like to let us know what she heard. She indicated the Police might be angry because they were involved in a case of theft from his Parish Bingo. She did not clarify this connection. She did not think there was any urgency, but wanted us to know.

RTV

91. Wagner, Jerome
On February 21, 1993 I received a call from Jerome Wagner in regards to an article concerning a priest in the Milwaukee Journal on 2/21/93. It was about a priest in Waukesha County who in 1985 gave liquor to a minor. I told Jerry I would discuss this with Archbishop Weakland and get back to him. I spoke to Archbishop Weakland on 2/22/93, and he said he would call Jerome.

RTV

211. Wagner, Jerome
On March 21, 1993 I visited Jerome Wagner at St. Louis in Fond du Lac. He is making plans for alternate residence. He is happy in his ministry at St. Louis. He is grateful for the Archdiocese in helping with St. Mary's Springs.

RTV

371. Wagner, Jerome
On March 18, 1994, I met with Jerry Wagner at St. Louis Parish in Fond du Lac. Jerry now has alternate living in a mobile home outside of Fond du Lac. His parish recently decided to not renew with FACES for the 1995-96 year unless the subsidy can be reduced. The parish is not able to continue financing the school system at the present level. This information was in the Fond du Lac paper and radio stations. Jerry hopes the people with children in the schools will assume a greater tuition.

RTV

462. Jerome Wagner
On July 22, 1994 the Archbishop approved the request that Jerry participate in the formal assessment by consultants [redacted] and [redacted]

RJS

490. Jerome Wagner
On August 10, 1994 in the absence of Tom Venne I met briefly with Len Barbian who expressed considerable concern for a more sensitive manner of seeking needed assessments and raised the question of whether or not full canonical rights were being protected for those asked to undergo the new assessment procedures.

In a meeting with Dr. Plasecki on August 12, 1994 I reviewed his status and learned that he had been carefully "mirandized" prior to his meeting with the [redacted] team.

RJS

523. Jerome Wagner
On August 19, 1994 in a crisis intervention meeting I learned that Jerry had been in serious counseling with Dr. [redacted] from 1986 through 1987 and learned of the items in a still unseen agreement between Attorney Boyle and the Waukesha District Attorney, namely that there be spiritual direction [redacted] extended counseling [redacted] and some type of supervision which never had been communicated to the Archdiocese. It was only in July of 1994 that the Police report itself was in fact shared with Archdiocesan authorities. By way of conclusion I learned of the various concerns, namely the ministerial restrictions (no unsupervised contact with minors, no use of alcohol with others under the age of 21, the avoidance of compromising situations, and no overnight guests), the suggestion of a move toward some location like St. Mary's Parish, the arrangement for an evaluation at St. Michael's and upon receiving the terms of the assessment from such an evaluation, the determination of what type of ministry might be possible.
On August 20, 1994 I met with Jerry at St. Louis Parish in Fond du Lac and he was willing to participate in the full assessment at St. Michael's Center in St. Louis (with a TWA flight from Milwaukee on Sunday, August 28, 1994 with arrival in St. Louis at 4:28pm) and my own commitment to be present for the formal final assessment on the morning of Thursday, September 1, 1994. In my conversation with Jerry it was understood that a decision regarding future ministry would be initiated subsequent to the evaluation process itself.

RJS

557. Jerome Wagner
On September 1, 1994 I traveled to St. Michael's Center [redacted] in St. Louis in order to meet with the team of Jerry's assessors, which included Director [redacted] Art Therapist [redacted] Spiritual Director [redacted] Psychologist [redacted] and Case Manager, [redacted]. Among the items discussed were issues of psycho-sexual development and intimacy, motivation, the strength of Jerry's ego and the seriousness of behavior which had been candidly shared during the week. It was emphasized that no quick decision should be made, certainly not before the reception of the written report (within 10 working days of the evaluation session) and the opportunity to review the written report with [redacted] and Dr. [redacted] The various options were addressed in the evaluation session as well as in conversation on the trip home with the recognized necessity for some sorting out of issues in the near future.

On September 2, 1994 I called St. Michael's Center and spoke with [redacted] to thank him for the hospitality and to clarify their precise oral recommendations upon concluding the evaluation. He stated that in their combined judgment there was a need to develop a clear, comprehensive treatment plan, to determine the number of visits each week/month to the professional counselor and spiritual director, to obtain release from Jerry to share all information with the spiritual director, [redacted] and counselor, Dr. [redacted] and to establish a contact person (someone like myself) to monitor Jerry's ministry and make sure that the restrictions remain solidly in place and respected in all regards. I shared that information with Archbishop Weakland later that same day.

RJS

280. Jerry Wagner
April 9, 2002 Jerry Wagner reports he has forwarded the consent form for the Special Commission to review sexual abuse cases to his attorney Jerry Boyle for his professional counsel in the matter.
JFH

309 Jerry Wagner
April 12, 2002 Jerry Wagner emails Vicar to report that his consent form is in the mail.
JFH

313. Jerry Wagner
April 19, 2002 Jerry Wagner is phoned by Vicar to lend support and state that Jerry Topczewski is working on a statement which we ask to be read at all Masses at all sites of Holy Family Parish, Fond du Lac this weekend, affirming the good work Jerry Wagner has done these past 16 years in Fondy, and that he has the support of his parish staff and the diocese.
JFH

222. Jerome Wagner
On April 18, 2002 I received a phone call from Jerry Topczewski reporting a voice mail message from [redacted] to the effect that she had a copy of the original Police report and was preparing an article for publication as early as the following morning. I called Fr. Wagner who confirmed that he had indeed reported the matter to his team priest colleagues in the Fond du Lac area and also noted that he had never been in the formal monitoring program through David Zimprich because the local Police had the matter from the very beginning and had exercised vigilance from their own perspective. I confirmed that Fr. Wagner was currently a member of the Priest Placement Board and surmised that this was part of a general monitoring program of contacts, adding that the Police Chief of Fond du Lac had served an earlier term on Project Benjamin in order to make sure that the perspective of his profession might assist the Archdiocese. In response to Fr. Wagner's question I supported his decision to re-contact Attorney Gerald Boyle.
RJS

237. Jerome Wagner
On April 21, 2002 in the context of the Archbishop's reception I spoke with ARDC member [redacted] and his wife [redacted] who had been present for the parish Mass at Holy Family in Fond du Lac (St. Joseph site) and reported the standing ovation given to Fr. Wagner subsequent to the reading of the statements from the Archdiocese and Fr. Heppe prior to the Mass celebration.
RJS

281. Jerome Wagner
On May 8, 2002 upon my return from Lake Lawn I discovered a voice mail message from Barbara Ann Cusack who reported her telephone conversation with former Police Chief Daniel Board [redacted] whom I had tried to call prior to leaving for Lake Lawn, who wanted to clarify some information distributed by the Archdiocese in recent days and to state that while the Fond du Lac Police were aware of the Police report they were not in any position to do monitoring and in fact had not done so, that Police Chaplaincy was extended to every clergy person in the area and indicated no special endorsement, and that in fact they were conscious of some activities of Fr. Wagner which would seem to have been in violation of the "no unsupervised contact with minors" as stipulated in the ministerial restrictions.
RJS

376. Jerry Wagner
May 9, 2002 Jerry Wagner is the subject of concern expressed by a former police chief, FOND DU LAC DANIEL BOARD, who feels the archdiocese has incorrectly claimed that the Fond du Lac Police Dept has served in any kind of monitoring role for Jerry even though they had information re his history. He wants that record clarified as well as the impression that Jerry was serving in any special chaplaincy capacity to the department that has not been exercised by other ministers in the area.
JFH

ARCHDIOCESE OF MILWAUKEE

DEPARTMENT FOR CLERGY

COPY

March 29, 2005

Jerome Wagner
[redacted]
Malone, WI 53049-1239

Dear Jerry,

Thank you for alerting me to my error in the last letter. I apologize for that.

The severance package is as was stated in the letter of February 8, 2005. The archdiocese offers a payment of $10,000 when one submits to the process. The archdiocese continues sustenance throughout the process and at the conclusion of the process and the priest's acceptance of the rescript another payment of $10,000 is offered.

I believe that was the only issue that you raised in the phone message. If I am missing something or I can be of help in another way, please let me know, Jerry

God bless you.

In the Lord Jesus,

Curt

Very Reverend Curt J. Frederick
Vicar for Clergy

3501 South Lake Drive, P.O. Box 070912, Milwaukee, WI 53207-0912
PHONE: (414)769-3484 • E-MAIL: clergy@archmil.org • WEB SITE: www.archmil.org

CONGREGATIO
PRO DOCTRINA FIDEI

00120 Città del Vaticano,
Palazzo del S. Uffizio

14 February 2005

421/04-20767
PROT. N. _____
(In responsione fiat mentio huius numeri)

CONFIDENTIAL

Your Excellency,

The Congregation for the Doctrine of the Faith has received the documentation you sent regarding the **Reverend Jerome A. WAGNER**, a priest of your Archdiocese accused of the sexual abuse of minors.

After a careful examination of the present case, I wish to inform you that this Congregation – having taken into consideration the gravity of the accusations and the culpability of the cleric – grants the derogation from prescription. At the same time, Your Excellency is authorized to conduct a penal administrative process (can. 1720 *CIC*) and not a judicial process as requested. However, before proceeding, we would ask you to approach Rev. Wagner one last time in order that he might freely request the grace of a dispensation from the obligations of the priesthood. If he declines the invitation, Your Excellency should initiate the above-mentioned process. At the conclusion of the process a suitable penalty should be imposed, not excluding dismissal from the clerical state.

In the meantime, this Dicastery confirms the precautionary measures already adopted by Your Excellency regarding Rev. Wagner.

With prayerful support and best wishes for the Lenten Season, I remain

Yours devotedly in the Lord,

✠ Angelo AMATO, SDB
Titular Archbishop of Sila
Secretary

His Excellency
The Most Rev. Timothy M. DOLAN
Archbishop of Milwaukee
3501 South Lake Drive
Milwaukee, WI 53207-0912
UNITED STATES OF AMERICA

ARCHDIOCESE OF MILWAUKEE
OFFICE OF THE ARCHBISHOP

Prot. No. 421/04-20767

March 29, 2005

Most Reverend Angelo Amato, SDB
Congregation for the Doctrine of the Faith
Piazza del S. Uffizio 11
00193 Rome, Italy

Your Excellency:

Thank you for your previous correspondence on the above-captioned case. As you requested, we did approach Reverend Jerome Wagner to reiterate the request that he voluntarily seek a dispensation from the obligations of the priesthood. In my name, Very Reverend Curt Frederick, Vicar General and Vicar for Clergy, contacted Father Wagner on this matter.

Enclosed is the petition to the Holy Father requesting a dispensation as prepared by Father Wagner. In it he acknowledges that his sinful actions have led to his inability to continue in priestly ministry. He also acknowledges the voluntary nature of his petition. I accept the veracity of the statements he makes in the petition. Father Frederick has also spoken with Father Wagner and agrees that this petition is being made freely.

Enclosed is a copy of the reporting information. From your letter it appears that all has been completed as requested. Therefore, I humbly request that Father Wagner's petition receive an affirmative reply. He continues to be provided with a pension equivalency and upon laicization will be assisted with transition expenses. He has already been trained for a position in the secular world.

Thank you for your kind attention to this matter.

With sentiments of esteem and prayerful best wishes, I am,

Sincerely yours in the Risen Christ,

+ Timothy M. Dolan

Most Reverend Timothy M. Dolan
Archbishop of Milwaukee

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PHONE: (414)769-3497 • WEB SITE: www.archmil.org

MAR 2 8 2005

Jerome A Wagner [redacted] Malone WI 53049-1239

Home: [redacted] Cell: [redacted] Email: [redacted]

His Holiness
Pope John Paul II
Bishop of Rome
Vatican City State

Saturday, March 26, 2005

Your Holiness,

On May 21, 1972, Archbishop William E. Cousins placed his hands upon me and ordained me a priest for the Archdiocese of Milwaukee. I have served as priest in this Archdiocese for thirty-three years. It has been my responsibility and privilege to bring the sacraments to the faithful and provide the love of God for many who have forgotten how much that love affects their lives and their salvation.

I have truly done the very best I could, and I firmly believe that my priestly ministry has brought faith, hope and love to the vast majority of the faithful that I have been privileged to serve. However, it has been determined by Archbishop Timothy Dolan that during that same time my sinfulness has gotten in the way of my continuing in priestly service as a Roman Catholic priest.

It is very improbable that I will ever be able to continue my ministry as a Roman Catholic Priest. Therefore, I humbly place myself before you and voluntarily request a dispensation from the obligations of the priesthood. I ask for your prayers that my return to the lay state will provide me with other opportunities to serve the people of God as best I can.

I wish you all the blessings of Easter and I am grateful to God for your Pontificate over the past twenty-six years.

Sincerely in Christ,

Jerome A Wagner

Jerome A. Wagner

ARCHDIOCESE OF MILWAUKEE

DEPARTMENT FOR CLERGY

February 8, 2005

Jerome A. Wagner
[redacted]
Malone, WI 53049-1239

Dear Jerry,

Thank you for your letter of February 2, 2005. I'm sorry about the hurt that contact brings. Please, if you do not wish contact because it is too hurtful, just let me know. Me intention is not to cause you stress.

I am happy to offer answers to the questions you pose in your letter. If Rome denies the petition for a dispensation from prescription and instructions for a penal trial, the Archbishop could do nothing or petition for an administrative act of laicization. If the petition is granted we will receive instructions for conducting a trial here in Milwaukee. That would be implemented through Paul Hartmann's office.

Regarding a request to return to the lay state, this can be initiated at any time prior to a final disposition. Once the outcome of a trial is had, it is too late, I believe. Once Rome has executed an administrative act of laicization it is too late. Before those dates, one can voluntarily request a return to the lay state.

When a priest requests voluntary laicization, the archdiocese of Milwaukee has a custom of helping the priest through the period of transition financially. At the filing of the petition, the priest is given $10,000. Through the period of the transition he is supported at a sustenance level, which is what you are currently on. When the laicization is granted and is accepted by the priest another $10,000 is offered. Ecclesially, you are not allowed to present yourself as a priest nor function in any way as a priest, the exception being in death the possibility of anointing and/or confession.

Regarding publicity, the Archbishop has limited any announcements to the priests of the Archdiocese, utilizing his first Thursday of the month circular.

I hope this is helpful to you, Jerry. Please be assured of my continuing prayers for you. I wish you only good things, Jerry. God bless.

If I can be of help to you in another way, please do not hesitate to contact me.

In the Lord Jesus,

Very Reverend Curt J. Frederick

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ARCHDIOCESE OF MILWAUKEE

DEPARTMENT FOR CLERGY

March 21, 2005

Jerome A. Wagner
[redacted]
Malone, WI 53049-1239

Dear Jerry,

Thank you for your letter of March 16, 2005. I certainly can appreciate the difficulty this is for you. I share in that sorrow and I hope that after this is completed that you will know something of an Easter. Please know that I certainly appreciate and applaud all the good work that you and the others in a similar circumstance to yours have done for the people of God over the years. The people do as well, and I believe, the Lord does also. Offenses do not wash away the manifold good that one has wrought throughout his life and throughout his years in ministry.

In order to effect a voluntary dispensation from the obligations of the priesthood we need to do a few things. First, please speak with Pat Lagges and get his advice in this matter. After receiving his advice, if you wish to proceed, you need to write a letter to the Holy Father asking for the dispensation and send it here to the Archdiocese. Barbara Ann Cusack will attach the letter the Archbishop received from the CDF and anything else that applies and she will send it to the Vatican. Then we simply wait. I would suspect that it wouldn't take too long since they were the ones who suggested this process.

Regarding the monetary side of this, the Archdiocese offers sustenance support throughout the process, i.e. $1,250 a month and insurance and pension premium. When the rescript is received and accepted by you, the Archdiocese offers a ~~second~~ severance of $10,000. The pension is a vested fund and is yours, Jerry. You can speak to Wayne Schneider about accessing those funds at the conclusion of the process or leaving them in the fund for payments beginning at age 68. Unfortunately, medical insurance coverage ceases when you accept the dispensation. You are entitled to COBRA coverage for up to eighteen months on our plan after the archdiocese ceases making the premium payments.

With regard to public ministry, the rescript prohibits preaching, holding office in a pastoral field, e.g. a DRE, the teaching of theology, and working in seminaries. Another Roman document asks you not to function as a lector or a Eucharistic minister.

I think I've covered the bases, Jerry. I will copy Pat Lagges on this so that he will have this when you speak with him.

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It was good to speak with you on Saturday. Be assured of my continuing prayers.

In the Lord Jesus,

Very Reverend Curt J. Frederick
Vicar for Clergy

CC: Father Patrick Lagges

ARCHDIOCESE OF MILWAUKEE
OFFICE OF THE ARCHBISHOP

September 20, 2004

His Eminence Joseph Cardinal Ratzinger
Congregation for the Doctrine of the Faith
Piazza del S. Uffizio 11
00193 Rome, Italy

Your Eminence:

In accord with the norms of *Sacramentorum sanctitatis tutela*, I am submitting for your consideration the fact that Father Jerome Wagner has been accused of multiple acts of sexual abuse of minors. The summary of these allegations is enclosed. Father Wagner previously admitted that a number of these acts of sexual assault occurred. He has denied the seriousness of the incidents.

An incident reported to the police occurred at St. Jerome Parish in Oconomowoc. A 15-year old boy reported to his mother that Father Wagner had made inappropriate and unwanted advances toward him after having given him a number of alcoholic drinks. The police report includes the September 3, 1985 statement of the boy which describes the amount of alcohol he consumed before laying on the floor for a backrub from Father Wagner. The boy fell asleep and awoke to find Father Wagner straddling him, pressing his hips against the boy's thigh, while holding the boy's arm around Father's neck. The boy described Father as sexually aroused. The incident concluded when the boy jumped up off the floor. Father Wagner had at least two meetings with the Oconomowoc police. In one of those meetings, Father Wagner waived his rights and agreed to give the police the names of all boys to whom he had given alcohol and/or with whom he had had physical or sexually oriented contact. The above-noted description of the incident was disclosed to Father Wagner by the police in the presence of his attorney. The police report states that Father Wagner admitted that the: "Information is correct as indicated in the statement of 9/3/85."

In addition to going to the police, the mother also arranged a meeting of herself, her son and Father Wagner with the family physician. At that meeting it is reported that, when confronted with the description of the incident, "Father Wagner admitted what went on."

In a police interview Father Wagner gave the requested list of names of boys and young men. In each case he stated whether or not he had given them alcohol. In each case he stated whether or not there had been physical contact. In several instances he describes what he refers to as "cradling" the boy whereby he would encircle the boy with his arms and rock him which he found sexually arousing; this occurred while the boys were asleep or unconscious from alcohol. He admitted to being on camping trips with boys where they shared a small tent and there was perhaps a touching of the boy's hips while the boy

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slept. He also described an incident with a 16 or 17 year old boy from Sheboygan who stayed overnight at Oconomowoc. Father admitted that he had given him alcohol and that they had lain together in "a sexually oriented position" but that they had shorts on.

Over the years, efforts were made to provide spiritual and psychological interventions that would rehabilitate Father Wagner. When the 1986 police investigation resulted in the district attorney's arranging with Father Wagner's lawyers for a transfer out of the area, Archdiocesan officials were not informed of the sexual content of the incidents and were told that it was a matter of providing alcohol to minors. Father was instructed to obtain counseling.

In 1994, the Archdiocese of Milwaukee was civilly sued by one of the boys with whom Father Wagner had had sexual contact. The case was resolved with an out of court settlement. It was only at this time, when investigative reporters from the newspaper followed the story, that Archdiocesan officials learned of the full content of the 1985 – 86 incidents. Father Wagner cooperated in a full reporting to Archdiocesan appointed assessors of any contacts with minors that involved alcohol or physical contact. On the basis of the information he provided and receipt of the police records from 1985, Father Wagner was sent to a residential treatment facility for assessment. On the basis if that assessment, with a full set of restrictions in place, including no unsupervised contact with minors, and with mandated counseling, it was thought that he could continue in ministry.

However, in light of the statement of the Holy Father that there is no place in ministry for a priest who has abused a minor and as a consequence of the USCCB Charter and Norms, it is clear that he cannot continue in and will never be able to assume any public ministry. When Father Wagner was removed from his position as a member of an *in solidum* team, many parishioners were supportive of him. Police and social service workers in Fond du Lac have reported that, from their observations, the limitation on unsupervised contact with minors was not observed.

As we have reviewed the various files, it is clear that Father Wagner did engage in sexual abuse and has admitted such in two investigations, one by the police and one by Archdiocesan officials. His abuse of alcohol may have contributed to a reduction in inhibition, but it cannot serve as an excuse for these behaviors. He also abused his office both to gain access to vulnerable boys and to elicit the trust of their parents. Our new found awareness of the severity of damage caused by sexual abuse at the hands of clergy makes it impossible for us to ignore this situation.

Given the nature of the alleged and admitted sexual abuse, along with the serious abuse of office, I have pondered long and hard to arrive at an opinion about the most appropriate action to be taken. Father Wagner has stated that he will not voluntarily seek laicization and he challenges the seriousness of his offenses. In order that justice may be made manifest and healing of the victims and the Church may proceed, I am asking that Your Eminence allow this case to proceed through a canonical penal process and that you advise us if the Congregation will call the case to itself or assign it to our local Tribunal personnel. We stand ready to draw on the services of canonists who have been specially trained for these processes by the most competent Monsignor Charles Scicluna. If such is your disposition, I humbly request a dispensation from prescription as well as a sanation of any procedural errors that may have occurred during the years this case was under investigation. The severity of the offenses is such that it is my opinion that these requests are justified. However, if the judgement of Your Eminence is that this case should proceed to a dismissal by decree of your Congregation, I would cede to that judgement.

Father Wagner is pursuing training in another profession and is capable of gainful employment. He remains eligible for his pension benefits when he reaches age 68.

I look forward to your further instructions in this matter.

With sentiments of deepest esteem, I am,

Sincerely yours in Christ,

+ Timothy M. Dolan

Most Reverend Timothy M. Dolan
Archbishop of Milwaukee

DIOCESE	Milwaukee
NAME OF ORDINARY	Timothy M. Dolan
CDF PROT. N. (*if available*)	
NAME OF CLERIC	Jerome A. Wagner

PERSONAL DETAILS OF THE CLERIC	Date of Birth	July 16, 1946	Age	58
	Ordination	May 21, 1972	Years of ministry	30

ORIGINAL DIOCESE OF INCARDINATION	Milwaukee
MINISTRY IN/TRANSFER TO OTHER DIOCESE	
CONTACT ADDRESS OF THE CLERIC	[redacted] Malone, WI 53049
PROCURATOR (*include original signed mandate*)	No mandate submitted
CONTACT ADDRESS OF THE PROCURATOR	

ASSIGNMENTS

Year	Parish	Location	Appointment
1972	*Immaculate Conception Parish*	*West Bend, WI*	*Associate pastor*
1978	De Sales High School	Milwaukee, WI	Faculty
1979	De Sales High School	Milwaukee, WI	Vocations Director
1983	St. Jerome Parish	Oconomowoc, WI	In solidum team member
1986	St. Louis Parish	Fond du Lac, WI	Pastor
2000	Holy Family Parish	Fond du Lac, WI	In solidum team member

ACCUSATIONS AGAINST THE CLERIC

Year	Victim	Age	Imputable Acts	Denunciation
1972-77	Multiple unnamed but admitted by cleric	15-17	Providing alcohol to minors to point of inebriation; use of minors body for self-masturbation by cleric	Self-reported by cleric to diocese in 1994
1977-83	Multiple unnamed but admitted by cleric	15-17	Providing alcohol to minors to point of inebriation; use of minors body for self-masturbation by cleric	Self-reported by cleric to diocese in 1994
1985	[redacted]	15	Gave alcohol to victim until he passed out; straddled victim and rubbed against his pelvic area to the point of ejaculation; victim woke up and broke free	1985

1983-86	[redacted]	Minor (15?)	While camping cradled the minor's body with his body and rocked him for sexual gratification	Self-reported to police by cleric in 1986
1983	[redacted]	16	Had minor stay overnight with him; provided alcohol and him lay on top of cleric in sexually oriented position	Self-reported to police by cleric in 1986

CIVIL PROCEEDINGS AGAINST THE CLERIC

Year	Type/Case	Conviction	Sentence (*include copies of civil documents*)
1986	Criminal investigation for second degree sexual assault and providing alcohol to minors	Agreement made with District Attorney to get counseling	
1994	Civil suit by [redacted]	Out of court monetary settlement	

MEASURES ADOPTED BY THE DIOCESE

Year	
1994	First report to diocese of sexual content in addition to alcohol from 1985; sent for counseling and placed on monitored status
2002	Removed from in solidum team

SUSTENANCE PROVIDED BY THE DIOCESE TO THE CLERIC

He is provided with $1,250 a month, the equivalent of a retired, pensioned priest of the Archdiocese. The Archdiocese provides health and dental insurance and continues payment into his pension fund. He will qualify for a pension at age 68.

RESPONSE/RECOURSE MADE BY THE CLERIC

Year	
1986	Gave police full listing of all minors with whom he could remember that he had contact involving alcohol and/or sexual contact (8)
1994	Admitted content of 1986 police report was accurate; admitted that he achieved sexual gratification from holding minors against his body; stated that he always ejaculated quietly as he was ashamed of what he was doing

BISHOP'S *VOTUM*

Dispensation from prescription to conduct a penal trial to determine guilt and assign penalty proportionate to admitted and alleged actions

CITY OF OCONOMOWOC POLICE

SUPPLEMENTARY REPORT

I.R. NO. [redacted]

Name of Complainant or Subject | Address | D.O.B.

[redacted] VS [illegible]

Offense

Sexual Assault - 2nd degree

DETAILS OF OFFENSE, PROGRESS OF INVESTIGATION ETC.
(Investigating Officer must sign)

Page No. One | Date 08-30-85 | 19

SUSPECT: Father Jerome Wagner is a priest at the St. Jerome Catholic Church in Oconomowoc. He has been in town several years and has been known as the Motor Cycle Riding Priest.

VICTIM: [redacted] is 13 years old. He is a member of the St. Jerome Parish and lives with his mother, brother and two sisters. [redacted]. Mother has felt that [redacted]'s association with Father Wagner to this point was welcome as it would give the boy a father figure in his life. Boy is described as as sensitive boy with concern for others.

For some time FATHER WAGNER has been involved with the youth of the congregation. Because he rides a motorcycle, the younger boys have been "flocking around him". He frequently takes boys of teh congregation on trips, camping, has them overnight at the rectory, etc.

On Wednesday, [redacted] asked his mother if he could stay overnight with Father Wagner at the rectory as Father Wagner had invited him to. This was not the fist time and mother readily agreed. Boy left to spend the night at the rectory.

The next morning 8-8-85, mother left for work early as usual in Milwaukee and did not see the boy. When she got home, the boy was out with friends and when he got home around 9:30 at 10:00, mother was sleeping out. So asked the boy how things went with his overnight and the boy said OK. Boy and mother went to bed.

About 11:30 or so that night [redacted] came into his mothers room, woke her up, was crying and said that things did not go well at Father Wagners. He then related to his mot what had occured.

That night at the rectory, father Wagner made some drinks and offered [redacted] a "semble" drink. He drank one and Father Wagner offered another and challenged him to drink the second down in a certain length of time which the boy did. He was offered a third but declined it. Father Wagner then offered him a "rum and coke" and the boy had one of those. The boy then fell asleep on the floor, face down with arms under his head. He woke up with Father Wagner laying along side, him, breathing heavily, pulling the boys arm out from under his head and putting it around him (father wagner) and Father wagner putting his legs around the boys legs. The boy said he did not know

Investigating Officer(s) | Report Made By | Date

Approved By

ADOM022074

CITY OF OCONOMOWOC POLICE

SUPPLEMENTARY REPORT

I.R. NO. [redacted]

Name of Complainant or Subject | Address | D.O.B.

Offense [redacted] vs WAGNER

Sexual Assault 2nd Degree

DETAILS OF OFFENSE, PROGRESS OF INVESTIGATION, ETC.
(Investigating Officer must sign)

Page No. Two | Date 08-30-85 19____

....if father Wagner was scared or excited. As he woke up more, he realized that Father Wagner was excited and the boy jumped up and said he was going to bed and went into the bedroom. FAther wagner did not follow him in. The next morning the boy went home.

Mother did not know what do do. She realized this was improper, but it was her parish priest. [redacted] feeling angry, guilty, etc. The boy commented, " I hope it never happened to....(then named off some friends).... These were all boys who have also stayed overnight with the priest in the past.
Mother talked to a coupel close girls friends and then decided to get advise from [redacted] of Oconomowoc, her father doctor.

On 8-10-85, she and [redacted] talked to [redacted]

On 8-16-85, at the motel of [redacted], she made the boy come with her and [redacted] and they all confronted FATHER WAGNER. Father Wagner admitted what when on. He began explaining he was in " mid life crisis'. That he has been especially depressed and lonely of late and also commented that he has known since last April that he needs help.

It was left at [redacted] then talked to her sister about it and at the urging of her sister, came in this office.

It was decided that I will meet with [redacted] on Tuesday 8-3 85 along with the school social worker Lee Ebert. Depending on the resultsof that interview I will again confirm with the mother and we will decide on the further course of action depending on the outcome of my interview with the boy.

Mother has been put in contact with [redacted] of Women's Center and also Access of Social SErvices has been advised.

Investigating Officer(s) Det. W.R.Steinke | Report Made By Det. W.R.Steinke | Date 08-30-85

Approved By

WCC 1

CATHOLIC
SOCIAL
SERVICES
of the Archdiocese
of Milwaukee, Inc.

DATE: September 20, 1994

TO: Archbishop Rembert Weakland

FROM: Liz Piasecki, PsyD.

RE: Rev. Jerry Wagner

PRIVILEGED AND CONFIDENTIAL

Archbishop -

As you have requested, I am noting here the inconsistencies between the Servants of the Paraclete report on Father Jerry Wagner and information given by Father Wagner to my Archdiocesan Sexual Response Evaluation Team.

Servants of the Paraclete Report

In his evaluation with the Servants of the Paraclete at St. Michael's Community in St. Louis, Father Wagner denied sexual intent with [redacted] He admits in that report to be involved over the past nine years with other young men, college age, whom he refers to as his "drinking buddies." Father Wagner states he did not have any direct sexual intentions in this behavior with those young men. The report further notes that Father Wagner is suspicious, but overly naive in that he also denies a basic sexual drive. The Paracletes have concluded that it is unlikely that Father Wagner is an aggressive perpetrator or would aggressively seek to use his power and position to influence others.

Please note that the report also indicates that Father Wagner has "remarkable support from his Parish Council after telling them something of his present crisis." The report also notes that Father Wagner told the psycho-social evaluator that he had given alcoholic beverages to adolescents on approximately fifteen occasions over the past nine years, with the last time being more than a year ago. He also denied he ever had genital contact with any adolescent and said later in the interview with the Paraclete interviewer that he had never had genital contact with anyone. His first sexual experience occurred during his late twenties when he was wrestling with an adolescent and became aroused to orgasm.

The report also indicates that Father Wagner has asserted that he has been seeing Father Keith Clark weekly for the past eight years as his spiritual director.

3501 South Lake Drive
P.O. Box 07912
Milwaukee,
WI 53207-0912
414/769-3400
FAX 414/769-3408

United Way

This information given to the Archdiocesan Evaluation Team.

Father Wagner admitted to myself and my team that this behavior of his started in his first assignment, which was at St. Mary's in West Bend. The years of that assignment are 1972 to 1977. This behavior continued through Father Wagner's assignment to the Call to Ministry, although somewhat abated; then took place in Oconomowoc in 1983 to 1986; then in St. Louis, Fon du Lac, starting again approximately 1988 at the completion of therapy with Dr. [redacted] and continuing until about a year ago. Father Wagner said it stopped about a year ago because "I was unhappy about my behavior."

Father Wagner admitted that [redacted]s allegations are essentially true. He admits to having a sexual intention regarding that contact as noted in the police report. Father Wagner also said "I knew he knew" about [redacted] when [redacted] woke up during the incident.

In June of 1988, Father Wagner admitted that he took alcohol and a minor ([redacted], who is the [redacted]'s son at St. Louis in Fond du Lac) on a trip where Father Wagner initiated the drinking.

Father Wagner told my team that he engaged in this drinking behavior and possible contact about three to four times a year since 1989. Father Wagner said those contacts were with individuals who are over eighteen, but under twenty-one. Father Wagner admitted he still drinks with young men who are twenty-one and over. He maintains that they are "more attached to the Church because of their attachment to me." Adults over the age of eighteen have fairly routinely stayed overnight at the rectory with Father Wagner and they still stay overnight at his home on occasion.

Father Wagner says that his low self esteem "makes me use some sort of a crutch to get a relationship with young men." He said "I was always secretive about sex. I would come to ejaculation without anyone knowing."

You are familiar, Archbishop, with his pattern of sexual behavior that I have described to you. Please note once again that the focus of our evaluation and of Father Wagner's conversation with us was clearly devoted to understanding the sexual solicitation and intent of this behavior of Father Wagner's regarding giving alcohol to minors and young men.

Please Note:

1. The Oconomowoc police report notes that their investigation was regarding second degree sexual assault, as well as giving alcohol to minors. Behavior was nonconsensual adult - even older than the age of twenty-one is considered sexual assault under the Wisconsin statutes. In fact, the criminal statute may still be running in some cases involving Father Wagner.

2. Father Wagner's pattern is long-standing, starting with his first assignment more than twenty years ago. It is repetitive and somewhat compulsive.

3. Scrupulosity is a personality trait which would require long-term treatment to resolve and ameliorate. Father Wagner's scrupulosity feels this deviant behavior as does the need for secrecy due to his public position as a celibate priest and his denial of sexual urges and intentions.

4. As we've spoken before, the best predictor of future behavior is past behavior. I would like to raise the question concerning what would lead us to conclude that this behavior will not reoccur when the Oconomowoc police investigation and the resulting personal misery and ongoing psycho-therapy did not correct the problem.

5. Another session with my evaluation team would be most helpful to ascertain the scope of who might yet come forward. Please note that Father Wagner admitted to having the high school senior boys to the rectory for "party night" about a year ago in which most of them became intoxicated. Also, there is a need to pursue the relationship with [redacted] further to ascertain if he is, in fact, another victim in the same fashion as [redacted]

6. I cannot recommend that Father Wagner remain in a parish setting given what I have just noted above. I understand that Father Wagner really does wish to remain in the parish, but I feel he would need to come up with some more compelling reasons for that to continue than he has yet to date.

ECP:bk

cc: Bishop Sklba

DEC 1 2 1994

CONFIDENTIAL SETTLEMENT AND
PIERRINGER RELEASE AGREEMENT

This Settlement Agreement and Release (hereafter "agreement") is made by and between [redacted] hereafter sometimes referred to as "[redacted], Jerome Wagner (hereafter "Wagner"), and the Roman Catholic Archdiocese of Milwaukee (hereafter "Archdiocese").

WHEREAS, [redacted] has alleged certain claims for damages against Wagner and the Archdiocese, based on certain allegations that Wagner sexually abused [redacted] in the past; and

WHEREAS, [redacted] and the Archdiocese deny the liability alleged; and

WHEREAS, the parties to this agreement wish to settle and compromise all claims of [redacted]gainst Wagner, the Archdiocese of Milwaukee, and against all of the Archdiocese's employees, agents, officers, directors and assigns, including, without limitation, all members of the Roman Catholic clergy, all Roman Catholic schools, all parishes, and any persons or entity affiliated with the Roman Catholic Church in the territory of the Archdiocese of Milwaukee, and including, without limitation, all insurers of the Roman Catholic Archdiocese of Milwaukee and its affiliated entities (hereafter the "released parties"), without the necessity of further expense and proceedings in this litigation and without an admission of liability, and wish to release one another from all liability for any claims

that may exist to the date of the signing of the agreement, consistent with the principles of Pierringer v. Hoger, 21 Wis. 2d 82, 124 N.W.2d 106 (1963) and its progeny, including, but not limited to, any sexual abuse or assault claim by [redacted] against Wagner and the Archdiocese;

NOW, THEREFORE, in consideration of the mutual promises herein provided and other valuable consideration, receipt of which is hereby acknowledged, the parties to this agreement hereby agree as follows:

1. Wagner and the Archdiocese agree to pay [redacted] jointly a total sum of $25,000, receipt of which is hereby acknowledged. All parties will bear their own costs and attorneys' fees associated with this settlement.

2. In addition to the payment set out in paragraph 1, Wagner and the Archdiocese also jointly agree to pay for five years of psychotherapy expenses for [redacted] with a cap on those expenses per year of $2,000. Therapy bills are to be submitted directly to the Archdiocese from a licensed therapist and will be promptly paid upon receipt of those bills. The parties further agree that the Archdiocese shall make payment to the therapist for reasonable bills, charged at the customary and normal rate charge by that therapist to his or her patients generally, for therapy services actually provided to [redacted] for up to a capped amount of $2,000 a year for five years commencing on November 15, 1994 and ending on November 15, 1999. The total joint obligation of Wagner and the

Archdiocese under this paragraph shall not exceed $2,000 for any individual year, nor shall it exceed a total of $10,000 for the five year period.

3. In return for the payments above, and for the mutual promises contained herein, and for other good and valuable consideration, receipt of which is hereby acknowledged, [redacted] hereby releases and forever discharges Fr. Jerome Wagner and the Roman Catholic Archdiocese of Milwaukee, and all of the Archdiocese's employees, agents, officers, directors and assigns, including, without limitation, all members of the Roman Catholic Clergy, all Roman Catholic schools, all parishes, and any persons or entity affiliated with the Roman Catholic Church in the territory of the Archdiocese of Milwaukee, and including, without limitation, all insurers of the Roman Catholic Archdiocese of Milwaukee and its affiliated entities from, and covenants not to sue them for, all claims, causes of action, charges, and demands of any nature, whether in tort, contract, or otherwise including but not limited to conspiracy and punitive damages, that he has or may have had at any time up to and including the date of the signing of this agreement, including but not limited to any claims arising from any sexual assault, injury, whether physical or mental, or any other activity of Jerome Wagner, including any claim for loss of companionship, or other damages.

4. It is hereby understood and agreed that this agreement is intended to constitute a full and final release

by [redacted] of all his claims against Wagner and the Archdiocese of Milwaukee, and any of its affiliated entities as described above. Pursuant to this agreement, Wagner and the Archdiocese, and all of the Archdiocese's affiliated entities described above are, and shall in the future be, discharged from any and all liability whatsoever, including, without limitation, liability for contribution to and/or indemnification of any other person.

5. By this agreement, [redacted] hereby covenants and agrees to indemnify and hold Wagner and the Archdiocese of Milwaukee, and all of its affiliated entities as described above, harmless of and from any future or further exposure or payment with reference to the matters set forth in this agreement, including, but not limited to, any litigation, claim or settlement which may hereafter be instituted, presented or affected by or on behalf of [redacted] or any other person, or by any person seeking contribution, subrogation or indemnification in connection therewith. It is understood that the intent of this agreement is that [redacted] will protect and hold Wagner and the Archdiocese, and all of its affiliated entities harmless from any future or further payments or exposure with regard to the matters addressed in this agreement, and [redacted] agrees to credit and if necessary to satisfy that portion or percentage of the total damages, if any, which may have been caused by Wagner, or the Archdiocese or any of its affiliated entities, as such may be determined in any litigation, claim or settlement which may

hereafter be instituted in connection with the matters addressed in this agreement. In the event [redacted] fails to immediately satisfy any such judgment to such extent, then [redacted] agrees that upon filing a copy of this release, without further notice, an order may be entered directing the clerk thereof to satisfy said judgment to the extent recited above.

6. Wagner and the Archdiocese hereby release and forever discharge [redacted] from all claims, demands, and causes of action of any nature that they may have had up to and including the date of the signing of this agreement.

7. [redacted], Wagner, and the Archdiocese mutually agree that neither they nor their attorneys nor representatives will reveal to anyone, other than as may be mutually agreed to in writing, any of the specific terms of this agreement or any of the amounts, numbers or terms and conditions of any sums payable to [redacted] hereunder. [redacted] hereby understands and agrees that this confidentiality section of the agreement is of paramount importance and that observance of this confidentiality section is of the essence to the agreement achieved between the parties. All parties agree to abide by the terms of this confidentiality section as consideration for and as an integral part of the agreement.

8. Nothing in this agreement shall be construed as an admission of liability on the part of any party.

9. [redacted] declares that he has read the foregoing agreement; discussed it with his lawyer; and fully

understands its terms. [redacted] further declares that [redacted] has obtained professional counseling for the injuries and assaults alleged and understands their impact on him, and understands that his condition could worsen in the future; declares that he is entering into this agreement with the advice of the lawyer retained by him; and declares that he voluntarily accepts the terms and sum of money under this agreement for the purpose of making a full and final compromise, adjustment and settlement of all claims of any nature that he may have against Wagner, the Archdiocese, and all of the Archdiocese's affiliated entities described above.

10. In witness of this agreement, we have hereunto set our hands on the dates respectively indicated.

[redacted]

Date: 11-9-94

In the presence of:

[redacted]

JEROME WAGNER

Date: _____

In the presence of:

ARCHDIOCESE OF MILWAUKEE

By: _____

Title: _____

Date: _____

In the presence of:

_____ _____

ADOM022128

St. Louis Church
[redacted]
Fond du Lac, Wisconsn 54935

Phone: [redacted]

July 28, 1986

Dear Dick,

Thanks for the phone call last week. It was good to hear from you and to know that I haven't been forgotten. You know that we priests at the edge of the diocese are not sure if we belong to a larger body of priests or not. That's why your phone calls to us are helpful and encouraging.

You asked if I could pray well in St. Louis Church, since it was not as ornate as is St. Jerome. Yes, it is more simple here, but it is not in ill repair. So, I am not really affected by the difference. After all, it's the people who make my prayer experiences worthwhile. When I see empty spaces and I know that there should not be any, that does bother me. The people are coming back slowly, and I am patient with that. I wrote a letter to all our "rejected" members of the past and I've had a good response from that. I long for the day that the pews are full and people look forward to their Sunday worship.

How do I feel about the way in which I've left Oconomowoc? Well, it's not a bright spot in my history. I know how Paul must have felt when he had to escape Damascus. It's not a good feeling to live with, but it can be worked out.

I suppose the part that I have to work on the most is to forgive, forget, and put all this behind me. It's hard to forgive oneself when I was unfortunate enough to think that priests are supposed to be perfect. Well, one thing for sure, I know that life does begin at 40. Hopefully it won't end soon thereafter.

You are doing good work for the priests of this diocese and I thank you for it. I pray that you, Rembert, [redacted] receive all the grace you need to continue making God's presence felt among us. You are both needed and greatly appreciated.

You are always welcome in Fondy.

With love,

Jerry Wagner

Entry for the Chart of Father Jerry Wagner
by Liz Piasecki

February 12, 1996

I met today with Father Jerry Wagner and Dr. [redacted] in Fond du Lac. Dr. [redacted] is a therapist. I reviewed with Jerry and Dr. [redacted] the complaints received by the Archdiocese from the social workers in Fond du Lac. Jerry was obviously very distraught. He reports that he has had no unsupervised contact with young people. Dr. [redacted] also reports that Jerry has made strong strides in giving up alcohol completely. He has quit smoking. He has moved his social circles up to adults and has worked very hard in therapy. Dr. [redacted] also reported that he has heard no rumors regarding Jerry and has heard many rumors regarding another priest who is the pastor in North Fond du Lac. Jerry realized that the Oconomowoc police report of his past will continue to follow him everywhere that he goes. He said he has thought about resigning from the priesthood. He thought about other opportunities in terms of work outside of the priesthood. He is obviously quite upset that his past continues to follow him. Jerry was to meet tonight with his spiritual director, Father Keith Clark, in Fond du Lac. He said he would also call Bishop Sklba and request an appointment to discuss what he should do regarding the fact that his past continues to haunt him.

LP/saz
jwchart/2/12/96

ARCHDIOCESE OF MILWAUKEE

3501 S. Lake Drive • P.O. Box 07912 • Milwaukee, WI 53207-0912 • (414) 769-3300

COPY TO
ARCHBISHOP WEAKLAND
N.Z. PIASECKI

The Chancery
(414) 769-3340

August 5, 1994

Reverend Jerome A. Wagner
St. Louis Parish
[redacted]
Fond du Lac, WI 54935

Dear Jerry,

Archbishop Weakland called me on Wednesday night from California. He asked that I communicate with you. The first thing he wanted expressed was his concern about you personally. He wants you to know that he has your best interests in mind as he deliberates about how to proceed with getting you the help you need. At the same time he is concerned about your parish community and possible adverse effects on them.

Given the nature of your situation he has pondered how best to proceed with decisions regarding your care and ministry. He must bear in mind both his responsibility toward the good of the whole community and respect for your individual rights.

At this point he has determined that some necessary and prudent precautions must be taken regarding your current exercise of ministry. He is making this decision based on the information that has emerged from the fact-finding process in which you have participated. It is not his intention at this time to undertake any penal process but that possibility cannot be ruled out for the future based on your compliance or noncompliance with the measures he has determined.

In response to the pastoral needs of the Christian community as well as his fraternal care for you, and in virtue of his authority as diocesan bishop, Archbishop Weakland formally places upon you the following obligations:

1) To refrain from all unsupervised contact with minors;

2) To cease use of alcohol with or in the presence of anyone under the age of 21;

3) To avoid all persons, places and situations that, from past experience, have been occasions of serious temptation in the area of sexual morality;

4) To refrain from having any overnight guests.

He expressed his wishes that you move temporarily into the rectory of St. Mary Parish in Fond du Lac. However, given your upcoming schedule which will take you out of the Fond du Lac area for the next two weeks, this move may not be necessary immediately. The Archbishop also requested that arrangements be made for you to obtain the services offered by either St. Luke Institute in Maryland or St. Michael Community in St. Louis.

Let us go
FORWARD

CELEBRATING
150 YEARS

"Let us go forward on the road that has brought us to where we are"

PHILIPPIANS 3:16

The Archbishop wants to be very clear that he has your needs in mind as he makes these difficult decisions. He also has to keep in mind the needs of the parish and church community. Upon his return from California he will be in touch with you personally.

Sincerely in Christ,

Barbara Anne Cusack

ARCHDIOCESE
OF MILWAUKEE
3501 SOUTH LAKE DRIVE • P.O. Box 07912 • MILWAUKEE, WISCONSIN 53207-0912 • PHONE 414/769-3300

OFFICE OF THE ARCHBISHOP

Blind copies to:
Bishop Sklba / Chancery
Jerry Boyle / Matt Flynn
Fr. Trepanier / Fr. Venne
Jean Mullooly

February 3, 1993

M E M O

FEB 03 199

TO: [redacted]/Milwaukee Journal

FROM: Archbishop Weakland

In the Fall of 1986, an allegation was brought against one of the priests. It alleged two offenses: giving alcohol to a minor and the intent of sexual solicitation.

The priest admitted to the first allegation, one that was serious and treated as such. A thorough investigation, with which the priest cooperated, was done by the police on the second allegation; that investigation lasted at least six months. The priest had hired Jerry Boyle as his personal lawyer. Because of insufficient evidence no charges were ever brought.

An agreement was worked out with the D.A. of that county that involved two things: that the priest would receive psychological counseling and that he would be moved from that town and given a new assignment. Both Bishop Sklba, then Vicar for Clergy, and myself as Archbishop, from our files and notes, know of no other conditions in the agreement as relayed to us by the lawyer. We abided by that agreement. If there were other details, only the lawyer and the D.A. know of them and should be consulted.

It seems to me that it would be a grave injustice to the priest as a U.S. citizen if, on the basis of an allegation that was not proven, his reputation would be ruined.

Note: [redacted] if further information is sought, please submit the questions in writing to Jean Mullooly/Office of Communications.

ARCHDIOCESE
OF MILWAUKEE
345 NORTH NINETY FIFTH STREET • P.O. BOX 2018 • MILWAUKEE, WISCONSIN 53201 • PHONE 414/476 2101

VICAR FOR PRIEST PERSONNEL

May 31, 1983

The Reverend Jerome A. Wagner
Director of Vocational Formation
St. Francis De Sales Call to Ministry Program
High School Level
[redacted]
Milwaukee, Wisconsin 53207

Dear Father Wagner:

Following the recommendation of the Personnel Board regarding your assignment, and with the concurrence of the Archbishop, I herewith transfer you from your present position of Director of Vocational Formation, St. Francis De Sales Call to Ministry Program - High School Level, and appoint you Pastoral Team Member with Father Valery Schuster at St. Jerome Parish, Oconomowoc, effective June 21, 1983. Father Schuster is appointed as Administrator. You will kindly report on that date to the parish.

You are reminded that the required Profession of Faith will be made in the context of the Installation Ceremony to be scheduled in the near future at your parish.

In keeping with the Term of Office Policy inaugurated August 1, 1980, your assignment will exist for a period of up to six years from its effective date and after that will be reviewed for possible extension.

Accept my prayers and good wishes as you move on to a new area of priestly work.

Sincerely yours in the Lord,

Reverend Joseph A. Janicki
Vicar for Priest Personnel

ARCHDIOCESE
OF MILWAUKEE
3501 SOUTH LAKE DRIVE • P.O. BOX 2018 • MILWAUKEE, WISCONSIN 53201 • PHONE 414/769-3300

OFFICE OF THE ARCHBISHOP

April 28, 1986

The Reverend Jerome A. Wagner
St. Jerome Parish
[redacted]
Oconomowoc, Wisconsin 53066

Dear Father Wagner,

It is with great pleasure that I ask you to become the Pastor of St. Louis Parish in Fond du Lac. Following the recommendation of the Personnel Board, I am happy to entrust the faithful of that parish to your pastoral care, beginning on May 1, 1986. This appointment is being made for a period of up to six years, after which time it will again be reviewed for possible renewal.

As representative of the Archbishop in that parish, you are called upon to serve the needs of God's people so that they can take their rightful place as baptized Catholics in their own Faith-community and in society. Your mission, like my own, is one of teaching and sanctifying, and also of administrating the parish, together with the Parish Council and those organizations designated to collaborate with you.

It is a privilege to share my ministry with you. May God's blessings fill your life.

Sincerely yours in the Lord,

Most Reverend Rembert G. Weakland, O.S.B.
Archbishop of Milwaukee

RECEIVED
MAY 29 [redacted]
RECEIVED

May 23, [redacted]

Bishop Skelba,

We received your letter dealing with a "longer frame of reference" on May 20, the day of [redacted]'s confirmation at St. Jerome's. My husband indicated that we had received a letter. As he did so, he offered very few verbal comments but I saw the pain in his eyes & perhaps you should be aware of the tears in mine as I write this letter. I cannot believe the way we are being victimized over and over by our Church's representatives. First Fr. Jerry victimized our 15 year old son at a crucial time in his life when the decision to drink is such a terrific pressure on him and then we as a family are victimized by the way this was handled!

Do you realize that the whole of your letter dealt with the perpetrator's side? Don't you realize that we have considered that it was a tragic mistake by Fr. Jerry and that it would be difficult on the whole Church if

this was exposed? Why do you think that we are trying to handle this privately? From day 1, we have tried and tried to remember that he has done good things as well, But, he also made a very, very serious mistake, one which is magnified by his position. We kept our silence believing that publicity would just bring further hurt and pain and would not take away the fact that he did it. But, we also believed that it would be handled appropriately and justly. Assigning him to another parish to work among more young people is a miscarriage of justice. Keeping him on at St Jerome's through all of this and having him come back to witness the victim's confirmation is abhorrent.

How dare you suggest that we need to correct our outlook on a good person doing a wrong! That we need to be made aware of dealing with it in our own family! I was outraged by this part of your letter. You know nothing about us - children die, marriages fail but parents still love them, husbands and wives make

mistakes but we still love each other. We have intimate experience with loving more inspite of a wrong. I cannot believe that throughout this whole incident, we the victims, have been asked to give and give and then have been chastised by you for not looking at the whole issue. If that were so, this travesty would have been reported to the news-papers long ago. Where is your sense of justice, of Christianity? Where are the much needed words that you regret that this happened? Better yet, that you are sorry that this happened!

Can it be that a simple regret would be construed as an admission of guilt and therefore on the advise of your attorney it can't be done? Once again I ask, where is your sense of Christian charity?

[redacted]

11/14/[redacted]

RECEIVED
NOV 17 [redacted]

Dear Bishop Skelba,

As you may or may not remember last spring (March) you & I had a number of phone conversations about Father Jerry Wagner & his legal problems with some young people in Aconamac's St. Jerome Parish, our son being one of them. To refresh your memory my son [redacted] was offered & served alchal in the priests' house by Jerry Wagner & [redacted] was only 15 yo old. Through our conversations & letters I still don't believe you fully understood our feeling toward Jerry Wagner & what he had done. Enough for that, I do want to update you on [redacted], as of this past

weekend [redacted] was "busted" for underage drinking - he is now 17. My wife & I have to appear with [redacted] in Court, most likely pay a fine, & [redacted] will now have a record. Just Great! What did Jerry Wagner ever get, except a slap on the hands, & a transfer - Charges, more serious than [redacted] - were dropped. I would again like to point out to you that Jerry's actions at [redacted] age & the fact that Jerry was looked up to by [redacted] will always have an effect on him no matter what my wife & I say (or more importantly) what you say was "not a big thing." Please don't say this could have happened anyway - I don't think

it would have.

I am requesting that you pass on this information about [redacted] to Jerry Wagner. I believe he should know how the kids he worked with are doing. I also don't believe he should ever be allowed to work with any youth & I don't believe he should ever forget what he has done to youth.

Sincerely

[redacted]

Clergy

ARCHDIOCESE OF MILWAUKEE
OFFICE OF THE ARCHBISHOP

MAY 12 2000

May 8, 2000

Rev. Jerome A. Wagner
St. Louis Parish
[redacted]
Fond du Lac, WI 54935

Dear Father Wagner,

It is with a sense of joy in our shared faith that I ask you to become a Member of the in solidum team at Holy Family Parish in Fond du Lac. Following the recommendation of the Priests' Placement Board, I am happy to entrust this office to your pastoral care beginning on July 1, 2000. This appointment is for six years and will be reviewed for a possible renewal.

As Member of the in solidum team of this parish, you are called upon to serve the needs of God's people so that they can take their rightful place as baptized Catholics in their own Faith-community and in society. Your mission, like my own, is one of teaching and sanctifying, and also of administrating to this parish, together with the Parish Council and those organizations designated to work with you. Also, I trust that you will work diligently with the priests in your district and enter fully into the current Archdiocesan parish planning efforts. It is a privilege to share my ministry with you. May God's blessings fill your life.

Sincerely yours in the Lord,

Most Reverend Rembert G. Weakland, OSB
Archbishop of Milwaukee

3501 South Lake Drive, P.O. Box 07912
Milwaukee, WI 53207-0912 · (414)769-3497

4-19-02.

Priest, accused in 1985, now helps assign clerics

No charges were filed; archdiocese said there'd be no contact with children

By MARIE ROHDE
of the Journal Sentinel staff

A priest who helps the Milwaukee Archdiocese decide assignments for other priests was accused of sexual misconduct with a teenage boy and of regularly supplying minors with alcohol, the Journal Sentinel has learned.

Father Jerome Wagner is one of six priests with alleged or confirmed records of sexual misconduct with minors who continue to serve in the active ministry, an archdiocesan spokesman confirmed Thursday.

Wagner was elected to the Priest Placement Board by other priests in the Fond du Lac area, according to the spokesman, Jerry Topczewski. The board recommends assignments for priests to Archbishop Rembert Weakland.

Wagner — now one of five priests who serve six Fond du Lac parishes — did not return a reporter's phone calls Thursday.

The revelations about Wagner's current responsibilities and his past raise questions about how actively the archdiocese has addressed problems with priests accused of abuse. They also raise questions about whether the archdiocese met the conditions of a settlement it reached with authorities in the Wagner case, officials who investigated Wagner said this week.

Please see **ARCHDIOCESE, 9A**

ADOM022272

MILWAUKEE JOURNAL SENTINEL

Priest now helps place clerics

ARCHDIOCESE, From 1A

Weakland could not be reached for comment, and it is not his policy to discuss past cases that have been resolved, Topczewski said.

Weakland has formed a commission, led by Marquette University Law School Dean Howard Eisenberg, to review how the church has handled past allegations of sexual abuse. The commission has declined to name the priests under review.

Accusations in 1985

Wagner was pastor of St. Jerome Catholic Church in Oconomowoc when the allegations surfaced in August 1985.

A 15-year-old boy spent the night at the rectory, according to police reports filed at the time. The next day, the distraught boy told his mother that he had gotten drunk on alcohol provided by the priest and awakened as the pastor made sexual advances. The boy told her he had broken away from the priest and nothing more happened.

The mother first went to the family's doctor, a man who also was a member of the parish, and then the doctor accompanied her as she confronted Wagner. According to police reports, the priest told the mother that he had been in a midlife crisis for months and knew that he needed help.

According to the police report, the priest did not deny the boy's account of events but asserted that the contact was not sexual.

Although the doctor tried to dissuade the mother from making the matter public because he believed it would devastate the small town, the woman went to police.

A news story on the incident appeared in 1993 but did not name Wagner or the parish he served. According to that account, the priest remained in the parish for eight months while the investigation was conducted. He was then reassigned to a Fond du Lac parish, where he worked alone for a period.

In exchange for a promise that he would not be prosecuted for providing alcohol to minors, Wagner gave authorities the names of boys he drank with during overnight stays in the rectory or during unchaperoned camping and skiing trips.

Assurances made

Stephen Centinario, the Waukesha County deputy district attorney who handled the case, defended the resolution at the time, noting that authorities received assurances that Wagner would not have a job where he would come into contact with children.

Centinario noted then that he was surprised to learn later that Wagner was assigned to work alone in another parish within a month of the decision not to charge the priest.

Centinario said this week that the evidence did not support sexual misconduct charges.

"This is not a situation where a priest got special treatment," Centinario said. "It is a situation where we did not have enough facts to prosecute."

Leonard Schacht, then the Oconomowoc police chief who has since retired and a member of the congregation, said he believes the situation was handled correctly.

> **"If it happened today, I'm sure more action would have been taken. Twenty years ago, things were handled differently."**
>
> **Leonard Schacht**, retired Oconomowoc police chief

"Gerry Boyle (Wagner's lawyer) handled it, and it just slid right through the process," Schacht said. "If it happened today, I'm sure more action would have been taken. Twenty years ago, things were handled differently."

Schacht said he couldn't say exactly what would be done differently today but said, "now we would feel an obligation to bring it up to the public."

Topczewski said records show the archdiocese did not learn of the allegations until late in the eight-month investigation, when the vicar of priests was called by a father who complained that his son had been given alcohol by Wagner and that police were investigating.

"We encouraged the father to cooperate with police," Topczewski said.

He said church officials did not go into the parish or contact police because they did not want to interfere with the investigation.

Topczewski said records show contact with the victim in 1994 and that church officials had contact with the police in Fond du Lac at that time. He said that was one of the ways Wagner was being monitored. Wagner also received therapy, Topczewski said.

Herman Steinke, now a retired detective, conducted the investigation of the Wagner allegations for Oconomowoc police. Steinke, who now lives out of state, told a reporter he wasn't surprised by the outcome.

"The archdiocese was putting a lot of pressure on the DA not to prosecute," Steinke recalled. "They came up with all these agreements on how he wouldn't have contact with children and they were followed through on. They were supposed to report back, but I don't think they ever did."

In addition to the six priests the archdiocese says are in active ministry, 14 others have been accused of abuse in the past but either are not in parish ministry or are retired. Some of the retired priests may help out in parishes, the archdiocese has acknowledged.

One priest is being investigated by the Milwaukee County district attorney's office on abuse charges, and two other priests were told last week that they could not function as priests because of allegations.

May 16, 1972

COPY

Reverend Jerome A. Wagner
St. Francis Seminary
[redacted]
Milwaukee, Wisconsin 53207

Dear Father Wagner:

Following the recommendation of the Personnel Board regarding your assignment, I herewith appoint you Associate Pastor at Immaculate Conception parish, West Bend, effective June 13, 1972. You will kindly report on that date to the Pastor, Father George J. Schumann.

With the warmest of personal regards and wishing you God's choicest blessings, I am

Fraternally Yours in Christ,

Most Reverend William E. Cousins
Archbishop of Milwaukee

October 14, 1977

COPY

The Reverend Richard J. Cerpich
Principal
De Sales Preparatory Seminary-High School
3501 South Lake Drive
Milwaukee, Wisconsin 53207

Dear Father Cerpich:

Following the recommendation of the Personnel Board, I have appointed Father Jerome A. Wagner to Graduate Studies and the Faculty of De Sales Preparatory Seminary-High School, Milwaukee. This appointment is effective January 17, 1978.

With warmest personal regards and with every blessing, I am

Fraternally yours in Christ,

Most Reverend William E. Cousins
Apostolic Administrator of Milwaukee

March 22, 1979

The Reverend Jerome A. Wagner ✓
De Sales Preparatory Seminary
[redacted]
Milwaukee, Wisconsin 53207

Dear Father Wagner:

Following the recommendation of the Personnel Board regarding your assignment, I herewith transfer you from your present position of Faculty, De Sales Preparatory Seminary, and appoint you Director, Home Contact and Vocational Awareness Program, St. Frances de Sales Call to Ministry Program - High School Level. This appointment is effective June 1, 1979.

Accept my prayers and good wishes as you move on to a new area of priestly work.

Sincerely yours in the Lord,

Most Reverend Rembert G. Weakland, O.S.B.
Archbishop of Milwaukee

ADOM022313

September 7, 1984

COPY

The Reverend Jerome A. Wagner
[redacted]
Oconomowoc, Wisconsin 53066

Dear Jerry,

I have been asked by the Knights of Columbus - Oconomowoc Council #2487 to appoint you as Chaplain.

If this is agreeable with you, Father, please look upon this letter then as one of official appointment to that position.

Thank you for all you do for the faithful of this Archdiocese. Many, many blessings, Jerry.

Sincerely yours in the Lord,

Most Reverend Rembert G. Weakland, O.S.B.
Archbishop of Milwaukee

Copy: Walter F. Welzin, Grand Knight

Entry for the File of Father Jerry Wagner
By Barbara Reinke

July 8, 2002

I had an emotional phone call from [redacted], in Fond du Lac. She was clearly upset about the damage to a Church she loves. She was calling to register concerns about Jerry Wagner, even though she recognizes she has no specific information to result in any action. She is now [redacted] While she was still [redacted] told her in frustration about children that were clamming up and denying inappropriate behavior by Fr. Wagner. She has been concerned about the young boys that she has seen coming and going from the rectory. Apparently a few weeks ago, an acquaintance of hers also had concerns, but when this other woman talked to the family of a child, they reportedly told her they wanted nothing to do with making a report.

BR:saz

Rec'd 7/8/02
Typed 7/9/02

COPY

ARCHDIOCESE OF MILWAUKEE
OFFICE OF THE ARCHBISHOP

December 5, 2002

Reverend Jerome A. Wagner
[redacted]
Malone, WI 53049-1239

Dear Jerry,

I know this is a very difficult time for you, as it is for so many of us, but please be assured that you are in my prayers. As the Archbishop of Milwaukee, I must address the spiritual wellbeing of all my people, yourself included. So, I thought it might be good for me to let you know my thoughts and reflections at this time as we attempt to bring some clarity and resolution to a very painful situation.

To begin, I want you to know that I believe that the Charter and Norms developed by the U.S. Catholic bishops provide needed structure and direction to this very difficult problem in the Church today. However, until the Holy See responds to the Charter, we all find ourselves in a state of limbo. Still, some clarification in your situation can be offered. I appreciate your willingness to step aside from your responsibilities at Holy Family Parish in response to the request from Bishop Sklba to do so. Although it was no doubt very painful for you to do, such a move was truly in the best interest of all the concerned parties. Your cooperation reflected your concern for the people at the parish.

While we all await the Holy See's response to the Norms, I would not want to create any false expectations about future priestly ministry. Without pre-judging any situations, given the substance of the allegations against you, I cannot foresee ever authorizing your return to active ministry, nor would I be able to recommend you to another diocese or religious community. In other words, I consider your situation to be such that I do not see how you could remain in the office of *in solidum* team member. Therefore, I am asking for your resignation so that you and the parish can move on.

As you consider this request, I am sure that financial issues come to mind. So, I would ask you to see Father Joe Hornacek for clarification about how we might be able to assist you. You have given valuable years of service to the Church and deserve support. Furthermore, given the realities at hand, you might consider beginning a transition to the lay state, and might even want to request laicization. In this regard, Father Jim Connell in the Chancery Office can answer your questions and help you with the process. In the interim, I need to reiterate the importance of your not exercising any priestly ministry, other than celebrating Mass privately, and not publicly presenting yourself as a priest. I know that you have obtained the services of a canonical advisor. I encourage you to maintain that relationship.

Thank you, Jerry, for your generous years of service to the Church. With the assurance of my prayers, I am,

Sincerely yours in Christ,

+ Timothy M. Dolan

Most Reverend Timothy M. Dolan
Archbishop of Milwaukee

3501 South Lake Drive, P.O. Box 070912, Milwaukee, WI 53207-0912
Phone: (414)769-3497 • Web site: www.archmil.org

COPY

January 16, 2003

Reverend Jerome Wagner
[redacted]
Malone WI 53049-1239

Dear Jerry,

As I mentioned in my previous correspondence, I have grave reservations about the wisdom of your continuation in ministry. In virtue of my pastoral duty to provide for the care of souls, it is my unhappy task to inform you that I am seriously considering your removal from the office of pastoral team member of Holy Family Parish.

We have sound reason to believe that there is canonical cause for your removal, which can be demonstrated by certain evidence. The major reason for such action involves past actions on your part which, in our current context, are gravely detrimental and disturbing to ecclesial communion.

After preliminary investigation and consultation with two pastor consultors, I am asking you to submit your resignation to me within fifteen (15) days, that is, by February 5, 2003.

If you do not submit your resignation as requested, you are charged to supply in writing your reasons for not doing so within the same fifteen (15) day period.

I believe it is to your best interests and to the good of the parish that we look in making this request. It is to your advantage, as well as that of the people of the parish, to submit your resignation voluntarily rather than experience a more arduous closure to your assignment at Holy Family.

What further steps might be taken is something I want you to discuss with Father Joe Hornacek. I encourage that dialogue so that we can determine how best to assist you in transition.

Thank you for your respectful consideration of your bishop's request.

Sincerely yours in Christ,

Most Reverend Timothy M. Dolan
Archbishop of Milwaukee

cc: Reverend Patrick Lagges

ARCHDIOCESE OF MILWAUKEE

DEPARTMENT FOR CLERGY

February 5, 2003

Rev Jerome Wagner
[redacted]
Malone WI 53049-1239

Dear Jerry,

During the past month I had the opportunity to meet with you and each of my brother priests who stepped aside from active ministry at Bishop Skiba's request in 2002, and who continue to hope and pray for a just resolution to this painful transition period. I promised to remain in communication with you as helpful and necessary.

Archbishop Dolan sent you a letter January 16, 2002, asking you to voluntarily submit your resignation for the pastoral welfare of the parishioners or to respond by February 5, 2002, with reasons for choosing not to do so. I believe a follow-up letter from the Archbishop will be sent to you this week.

A couple different proposals were suggested by way of attempting to resolve the "situation." After careful study of these proposals and computation of their potential cost to the Archdiocese, after further reviewing the history of what was offered in similar cases in the past, what your canonical rights are, and what the archbishop's canonical obligations are, the following plan was approved by Archbishop Dolan:

1) If a priest elects voluntary laicization, we would offer what has been our practice, if not policy, for more than a decade, namely $10,000 when the petition is submitted and $10,000 when a definitive response is received, regardless of the contents of the response. We would offer, in addition, and new to our practice, minimum support during the time the case is in process. That minimum support would be the monthly amount a pensioned priest receives. During the processing of the case we would also provide some outplacement assistance. This assistance could consist of payment for services from a career counseling office, such as the one at Marquette or Stritch. These services provide the individual with information about how to "translate" their skills from one career to another. We could then offer three sessions of outplacement assistance which provides help with resume writing, interviewing skills, etc.

2) If the priest does not want to seek voluntary laicization but would rather have the penal process imposed, we would have an obligation of minimal support from the time he loses office until the case is complete. During the time of the trial, which could be up to a year, we would provide a monthly subsidy at the level of a pensioned priest. At the conclusion of the trial, if there is a penalty imposed of dismissal from the clerical state, your canonical obligation of support ceases but some small amount (obviously less than the $20,000 above) could be given in charity.

3501 South Lake Drive, P.O. Box 070912, Milwaukee, WI 53207-0912
Phone: (414)769-3494 • E-Mail: [illegible] • Web site: [illegible]

3) In all instances we would maintain the priest on our health insurance for one year at our expense. He would then be free to ask for an additional six months of coverage but at his own expense. This coverage would cease as soon as he had employment providing this benefit.

While this plan may not be exactly what you hoped for, it is a genuine effort to respond justly and equitably.

Sincerely yours in the Lord,

V. Rev. Joseph F. Hornacek
Vicar for Clergy

JFH/ks

BURRELL LAW OFFICES, S.C.
2941 W. Green Brook Rd.
Milwaukee, WI 53217-1047

CAROLYN C. BURRELL
ATTORNEY AT LAW

February 4, 2003

TELEPHONE: (414) 416-5808
EMAIL: ccb2941@msn.com

Most Reverend Timothy M. Dolan
Archbishop of Milwaukee
Archdiocese of Milwaukee
3501 South Lake Drive
P.O. Box 07912
Milwaukee, Wisconsin 53207-0912

Re: Reverend Jerome Wagner

Dear Archbishop:

This letter is written on behalf of Reverend Jerome Wagner in response to your letter to Reverend Wagner dated January 16, 2003 in which you asked Reverend Wagner to submit his resignation by February 5, 2003 or to supply in writing his reasons for not doing so. In that letter you asked that Reverend Wagner discuss with Father Joe Hornacek further steps that might be taken; therefore, I have sent a copy of this letter to Father Hornacek. Reverend Wagner has asked that I represent him with respect to the civil law matters connected with his employment and pursue discussions with you, Father Hornacek, or your legal representative on these matters.

On May 8, 2000 Most Reverend Rembert G. Weakland, Archbishop of Milwaukee provided Reverend Wagner with a letter appointing him as a Member of the *in solidum* team at Holy Family Parish in Fond du Lac commencing on July 1, 2000 for a period of six years with the possibility of renewal at the end of that six year period. At the time this employment contract was issued, it is my understanding that the Archbishop of Milwaukee had full knowledge of the situation involving Reverend Wagner's past that has now prompted the request for Reverend Wagner's resignation. In other words, the employment contract was entered into with knowledge of Reverend Wagner's past record. Based on these facts, Reverend Wagner is not prepared to submit a resignation from his employment.

In addition to the fact that under civil law an enforceable contract of employment exists until June 30, 2006, Reverend Wagner has also taken into consideration the fact that he has been advised by his Canon Lawyer, Fr. Patrick Lagges, not to resign at this time as *in solidum* team member of Holy Family Parish in Fond du Lac.

Reverend Wagner is willing to discuss further his continued employment situation and has in November 2002, in a letter to you offered to consider some other form of parish service. If an alternative form of employment is not available then Reverend Wagner is requesting compensation in exchange for his resignation that will allow him financial security as he prepares himself for alternative employment. Considering Reverend Wagner's age (56), the fact he will need additional education beyond his Master of Theology degree to prepare himself for a new career, and the adverse publicity resulting from the Archdiocese's publicly issued statements that will necessarily make it more difficult to secure alternative employment, it would appear that an amount of $385,000 paid over a period of years until Reverend Wagner reaches the age of 65 would be appropriate. In addition, Reverend Wagner believes that he should be entitled to those benefits he would have enjoyed were he not to resign his employment. Two specific benefit concerns are medical insurance coverage and pension benefits equivalent to those he would have enjoyed resulting from continued employment in his current position.

Reverend Wagner has asked me to communicate the fact that the well being of the Church continues to be of great concern to him. He continues in his willingness to consider some other form of parish service as an alternative to his current employment. He is, however, willing to further discuss the possibility of resignation if adequate financial arrangements can be made.

I look forward to your response or a response from the attorney for the Archdiocese.

Very truly yours,

Carolyn C. Burrell

Carolyn C. Burrell

cc: Father Joe Hornacek
Reverend Patrick Lagges, JCD
Attorney Mathew J. Flynn

REVEREND JEROME WAGNER
SUMMARY OF FILES

Date of Birth: July 16, 1946

	First name	Assignment	Year start	Year end	Current
Wagner	Jerome	Imm Conc (West	1972	1978	Assigned
		De Sales HS	1978	1983	
		St. Jerome	1983	1986	
		St. Louis (Fond	1986	2000	
		St. Peter	1997	2000	
		Holy Family	2000		

The incident reported to the police occurred at St. Jerome Parish in Oconomowoc. A 15-year old boy reported to his mother that Father Wagner had made inappropriate and unwanted advances toward him after having given him a number of alcoholic drinks. The police report includes the September 3, 1985 statement of the boy which describes the amount of alcohol he consumed before laying on the floor for a backrub from Father Wagner. The boy fell asleep and awoke to find Father Wagner straddling him, pressing his hips against the boy's thigh, while holding the boy's arm around Father's neck. The boy described Father as sexually aroused. The incident concluded when the boy jumped up off the floor. Father Wagner had at least two meetings with the Oconomowoc police. In one of those meetings, Father Wagner waived his rights and agreed to give the police the names of all boys to whom he had given alcohol and/or with whom he had had physical or sexually oriented contact. Th e above-noted description of the incident was disclosed to Father Wagner by the police in the presence of his attorney. The police report states that Father Wagner admitted that the: "Information is correct as indicated in the statement of 9/3/85."

In addition to going to the police, the mother also arranged a meeting of herself, her son and Father Wagner with the family physician. At that meeting it is reported that, when confronted with the description of the incident, "Father Wagner admitted what went on."

In a police interview Father Wagner gave the requested list of names of boys and young men. In each case he stated whether or not he had given them alcohol. In each case he stated whether or not there had been physical contact. In several instances he describes what he refers to as "cradling" the boy whereby he would encircle the boy with his arms; this occurred while the boys were asleep. He admitted to being on camping trips with boys where they shared a small tent and there was perhaps a touching of the boy's hips while the boy slept. He also described an incident with a 16 or 17 year old boy from Sheboygan who stayed overnight at Oconomowoc. Father admitted that he had given him alcohol and that they had lain together in "a sexually oriented position" but that they were fully clothed or at least had shorts on.

Police and social service workers in Fi\ond du Lac have reported that, from their observations, the limitation on unsupervised contact with minors has not been adhered to.



TIMOTHY MICHAEL DOLAN

Miseratione Divina et Apostolicae Sedis Gratia
Archiepiscopus Milvauchiensis

Whereas the proposal to remove Reverend Jerome Wagner from his office as pastoral team member of Holy Family Parish was made by letter on January 16, 2003 and repeated on February 6, 2003;

Whereas the principles and norms of canon law have been diligently observed in discerning and communicating this proposal, namely:

a) A canonical reason for removal has been determined, that is, his ministry has become ineffective (c. 1740) due to substantiated claims of sexual abuse of individuals while they were minors. Evidence of this reason has been gathered and placed on file at the Chancery, a summary of which follows:

An incident reported to the police occurred at St. Jerome Parish in Oconomowoc. A 15-year old boy reported to his mother that Father Wagner had made inappropriate and unwanted advances toward him after having given him a number of alcoholic drinks. The police report includes the September 3, 1985 statement of the boy which describes the amount of alcohol he consumed before laying on the floor for a backrub from Father Wagner. The boy fell asleep and awoke to find Father Wagner straddling him, pressing his hips against the boy's thigh, while holding the boy's arm around Father's neck. The boy described Father as sexually aroused. The incident concluded when the boy jumped up off the floor. Father Wagner had at least two meetings with the Oconomowoc police. In one of those meetings, Father Wagner waived his rights and agreed to give the police the names of all boys to whom he had given alcohol and/or with whom he had had physical or sexually oriented contact. The above-noted description of the incident was disclosed to Father Wagner by the police in the presence of his attorney. The police report states that Father Wagner admitted that the: "Information is correct as indicated in the statement of 9/3/85."

In addition to going to the police, the mother also arranged a meeting of herself, her son and Father Wagner with the family physician. At that meeting it is reported that, when confronted with the description of the incident, "Father Wagner admitted what went on."

In a police interview Father Wagner gave the requested list of names of boys and young men. In each case he stated whether or not he had given them alcohol. In each case he stated whether or not there had been physical contact. In several instances he describes what he refers to as "cradling" the boy whereby he would encircle the boy with his arms; this occurred while the boys were asleep. He admitted to being on camping trips with boys where they shared a small tent and there was perhaps a touching of the boy's hips while the boy slept. He also described an incident with a 16 or 17 year old boy from Sheboygan who stayed overnight at Oconomowoc. Father admitted that he had given him alcohol and that they had lain together in "a sexually oriented position" but that they were fully clothed or at least had shorts on.

Police and social service workers in Fond du Lac have reported that, from their observations, the limitation on unsupervised contact with minors has not been adhered to.

b) The required consultations with two pastors, Reverend Gerald Brittain and Reverend George Rebatzki were held on December 27, 2003 and March7, 2003.

c) Reverend Jerome Wagner has had opportunity to inspect the acts but has not done so.

No rebuttal under canon law has been offered in opposition to the removal, but a letter from a civil attorney has been entered into evidence. The letter claims that an "enforceable contract of employment exists" and that Father Wagner will resign his position in exchange for $385,000.

e) This rebuttal, considered by the Archbishop and his two pastor consultors, has been found insufficient to dissuade the proposal for the following reasons:

There is no substantive argument germane to the matter at hand, namely the removal from the office of pastoral team member. The issue addressed is more relevant to a continuation in active ministry which is a separate and yet-to-be-addressed matter.

Therefore, I, the undersigned Archbishop of Milwaukee, in virtue of my pastoral office and in conformity with the Code of Canon Law, hereby decree the removal of the Reverend Jerome Wagner as pastoral team member of Holy Family Parish, effective immediately upon communication of this decree by the Very Reverend Joseph Hornacek, Vicar for Clergy, at which time his former office will be declared vacant.

Moreover, Reverend Jerome Wagner is advised that if he has just cause to lodge recourse against this action, it may be proposed to me or to the Holy See within fifteen available days.

Given in Milwaukee this 28th day of March in the year of Our Lord 2003.

Most Reverend Timothy M. Dolan
Archbishop of Milwaukee

Notary

TIMOTHY MICHAEL DOLAN

Miseratione Divina et Apostolicae Sedis Gratia
Archiepiscopus Milvauchiensis

PRECEPT

In response to the pastoral needs of this Christian community, in virtue of my authority as diocesan bishop (c. 381, §1), and in accord with the provisions of canon 49, I formally place upon Reverend Jerome Wagner the following obligations:

1) To refrain from all contact with minors, vulnerable adults, and other persons or categories of persons who have proven to be occasions of temptation in the area of sexual morality;

2) To cease until further notice all public ministry including the celebration of Eucharist; Eucharist may be celebrated in a private setting alone or with only another priest or priests in attendance; the celebration of any other sacraments will require my explicit permission in each case;

3) To avoid all places and situations that, from past experience, have been occasions of serious temptation in the area of sexual morality;

4) To cease any and all activities and relationships that may be described under the broad category of pastoral counseling;

5) Until further notice the faculty to hear confession is revoked;

6) To refrain from clerical attire or identification in public.

The reasons motivating this decree are the allegations of sexual activities in violation of the obligation of clerical celibacy (c. 277, §1). These restrictions are seen as necessary and prudent precautions and will remain in effect for three months from this date or until notice of their revocation. Any violations of this precept could result in penal action and this decree shall serve as canonical warning to that effect.

This decree shall be executed by means of its communication to Reverend Jerome Wagner by postal delivery.

Given this 31st day of March, 2003.

+ Timothy M. Dolan

Most Reverend Timothy M. Dolan
Archbishop of Milwaukee

Notary

SEAL

Entry for the Chart of Father Jerry Wagner
by Liz Piasecki

October 19, 1995

I spoke, today, with Father Dick Robinson, who is the Dean for the Fond du Lac Area. Phone number is [redacted] This is a follow-up call, based on his call to Father Carroll Straub a week or so ago, regarding several social workers who had spoken with him about their concerns involving Father Jerry Wagner and his behavior with minor boys. Father Dick Robinson reported to me that one social worker had come to him. Her name is [redacted] She wishes her name to be kept confidential, except the Archbishop, myself, and the Vicar could know who is reporting the problem. [redacted]'s telephone numbers are [redacted] (work), and [redacted] (home). [redacted] reported to Father Robinson that well over a year ago, she and others, saw boys coming out of the St. Louis Parish rectory after 8:30 or 9:00p.m. This happened on more than one occasion. The other social worker had passed a comment to [redacted] that she was sure that Father Wagner is a pedophile or homosexual given his attention to the boys after Mass on Sunday. [redacted] apparently also overheard a conversation between police investigators at the Fond du Lac Police Department in which, it seemed to her, that they were investigating whether or not Fr. Wagner was a child molester. Father Robinson asked that I contact [redacted] She has given permission for me to speak with her, and I will do so.

LCP:saz
10/30/95

CATHOLIC SOCIAL SERVICES
of the Archdiocese of Milwaukee, Inc

August 22, 1994

Ms. [redacted]
St. Michael's Community
13270 Maple Drive
St. Louis, MO 63127

Dear Ms. Brickner:

This letter confirms the intention of Archbishop Rembert Weakland to refer Rev. Jerome Wagner of the Archdiocese of Milwaukee for evaluation on August 29 - September 1, 1994. Bishop Richard Sklba, Auxiliary Bishop of Milwaukee, will attend the feedback session at 10AM on Sept. 1.

The presenting problem is as follows:

In 1985, Fr. Wagner was reported to the police in his community by a 15 year old male and his mother for allegations of providing alcohol to a minor with the intent of sexual solicitation. A six month investigation ensued and no charges were ever filed. The Archbishop decided to revisit this matter when the young man came forward again recently for financial help with therapy due to suicidal ideation following a second arrest for drunk driving. In addition, Fr. Wagner himself has been quite depressed over approximately the past 6-8 months because of periodic threats of media exposure involving the original investigation in 1985.

I have enclosed a redacted copy of the original police report. The Archbishop saw this police report for the first time on July 17, 1994 when the young man who reported the allegation gave it to the Archdiocese. The young man had received a copy of it from a newspaper reporter. Perhaps it will be helpful as a starting point for further evaluation.

Please send the final written copy of your evaluation to me directly at the address below. If you have any further questions, please give me a call (414) 769-3436.

3501 South Lake Drive
P.O. Box 07912
Milwaukee,
WI 53207-0912

414/769-3400
FAX 414/769-3408

Sincerely,

Elizabeth C. Piasecki, PsyD.
Licensed Psychologist
Coordinator, Archdiocesan Response to Sexual Abuse

United Way

cc: Mr. Matt Flynn

CONGREGATIO PRO DOCTRINA FIDEI

Prot. N. 421/04

Milvaukiensis

D.nus **Jerome A. WAGNER**, presbyter huius archidioecesis, humiliter petit dispensationem ab omnibus oneribus sacrae Ordinationi conexis

Summus Pontifex Benedictus, Papa XVI

Die 6 m. Octobris a. 2007

audita relatione Em.mi et Rev.mi Praefecti huius Congregationis, precibus praedicti sacerdotis annuit iuxta sequentes rationes:

1. Dispensationis Rescriptum a competenti Ordinario oratori quamprimum notificandum est:

a) Eius effectum sortitur a momento notificationis;
b) Rescriptum amplectitur inseparabiliter dispensationem a sacro coelibatu et simul amissionem status clericalis. Nunquam oratori fas est duo illa elementa seiungere, seu prius accipere et alterum recusare;
c) Si vero orator est religiosus, Rescriptum concedit etiam dispensationem a votis;
d) Idemque insuper secumfert, quatenus opus sit, absolutionem a censuris.

2. Notificatio dispensationis fieri potest vel personaliter ab ipso Ordinario eiusve delegato aut per ecclesiasticum actuarium vel per "epistulas praescriptas" (*registered*). Ordinarius unum exemplar restituere debet rite ab oratore subsignatum ad fidem receptionis Rescripti dispensationis ac simul acceptationis eiusdem praeceptorum.

3. Notitia concessae dispensationis adnotetur in Libris baptizatorum paroeciae oratoris.

4. Quod attinet, si casus ferat, ad celebrationem canonici matrimonii, applicandae sunt normae quae in Codice Iuris Canonici statuuntur. Ordinarius vero curet ut res caute peragantur sine exteriore apparatu.

5. Auctoritas ecclesiastica, cui spectat Rescriptum oratori rite notificare, hunc enixe hortetur, ut vitam Populi Dei, ratione congruendi cum nova eius vivendi condicione, participet, aedificationem praestet et ita probum Ecclesiae filium se exhibeat. Simul autem eidem notum faciat ea quae sequuntur:

a) Sacerdos dispensatus eo ipso amittit iura statui clericali propria, dignitates et officia ecclesiastica; ceteris obligationibus cum statu clericali conexis non amplius adstringitur;

b) exclusus manet ab exercitio sacri ministerii, iis exceptis de quibus in can. 976 et 986 § 2 CJC ac propterea nequit homiliam habere, nec potest officium gerere directivum in ambitu pastorali neve munere administratoris paroecialis fungi;

c) item nullum munus absolvere potest in Seminariis et in Institutis aequiparatis. In aliis Institutis studiorum gradus superioris, quae quocumque modo dependent ab Auctoritate ecclesiastica, munere directivo fungi nequit;

d) in aliis vero Institutis studiorum gradus superioris ab Auctoritate ecclesiastica non dependentibus nullam theologicam disciplinam tradere potest;

e) in Institutis autem studiorum gradus inferioris dependentibus ab Auctoritate ecclesiastica, munere directivo vel officio docendi fungi nequit. Eadem lege tenetur presbyter dimissus ac dispensatus in tradendo Religione in Institutis eiusdem generis non dependentibus ab Auctoritate ecclesiastica.

6. Ordinarius curet, quantum fieri potest, ne nova condicio presbyteri dispensati fidelibus scandalum praebeat. Attamen, si adest periculum minoribus abutendi, Ordinarius potest factum dispensationis necnon causam canonicam divulgare.

7. Tempore autem opportuno, Ordinarius competens breviter ad Congregationem de peracta notificatione referat, et si qua tandem fidelium admiratio adsit, prudenti explicatione provideat.

Contrariis quibuscumque minime obstantibus.

Ex Aedibus Congregationis, die 6 m. Octobris a. 2007

William Card. Levada

Gulielmus Cardinalis LEVADA
Praefectus

✠ Angelus AMATO, S.D.B.
Archiep. Titularis Silensis
Secretarius

Dies notificationis Dec. 17, 2007

Jerome A. Wagner

Subsignatio Presbyteri in signum acceptionis

+ [illegible]

Subsignatio Ordinarii

CONGREGATIO
PRO DOCTRINA FIDEI

00120 Città del Vaticano,
Palazzo del S. Uffizio

10 October 2007

PROT. N. 421/04 - 25566
(In responsione fiat mentio huius numeri)

CONFIDENTIAL

Your Excellency,

I write with regard to the case of the **Reverend Jerome A. WAGNER**, a priest of your Archdiocese who has been accused of acts of sexual abuse of minors. The cleric has petitioned the Holy Father for the grace of a dispensation from all the obligations of the priesthood, including the obligation of celibacy.

This Congregation, after having carefully examined the documents of the present case and in light of the *votum* expressed by Your Excellency, has decided to forward the petition to the Holy Father for his decision.

In an audience granted on 6 October 2007 **Pope Benedict XVI granted the Rev. Wagner the grace of a dispensation from all priestly obligations including that of celibacy**. Attached you will find a copy of the relevant Decree. Your Excellency is asked kindly to ensure that he is duly notified thereof. A signed and notarized copy of the rescript, as well as notification of any other arrangements made, should be returned to this Dicastery at your earliest convenience.

I take this opportunity to express my sincere respects and I remain,

Yours devotedly in the Lord,

✠ Angelo AMATO, SDB
Titular Archbishop of Sila
Secretary

(Enclosures)

His Excellency
The Most Reverend **Timothy M. DOLAN**
Archbishop of Milwaukee
Office of the Archbishop
3501 South Lake Drive
Milwaukee, WI 53207-0912, U.S.A.

ARCHDIOCESE
OF MILWAUKEE
3501 SOUTH LAKE DRIVE • P.O. Box 07912 • MILWAUKEE, WISCONSIN 53207-0912 • PHONE 414/769-3300

OFFICE OF THE ARCHBISHOP

May 14, 1997

Rev. Jerome A. Wagner
St. Louis Parish
[redacted]
Fond du Lac, WI 54935

Dear Father Wagner,

It is with a sense of joy in our shared faith that I ask you to become the Administrator of St. Peter Parish in St. Peter while remaining Pastor of St. Louis Parish. Following the recommendation of the Personnel Board, I am happy to entrust the faithful of this parish to your pastoral care beginning on June 30, 1997. An administrator, by the very definition of the term in Canon Law, is not given a term of office; however, it is our presumption that you remain at the parish for up to six years.

As the Administrator of this parish, you are called upon to serve the needs of God's people so that they can take their rightful place as baptized Catholics in their own Faith-community and in society. Your mission, like my own, is one of teaching and sanctifying, and also of administrating the two parishes, together with the Parish Councils and those organizations designated to work with you. Also, I trust that you will work diligently with the priests in your district and enter fully into the current Archdiocesan parish planning efforts.

It is a privilege to share my ministry with you. May God's blessings fill your life.

Sincerely yours in the Lord,

Most Reverend Rembert G. Weakland, O.S.B.
Archbishop of Milwaukee

CONSENT FOR RELEASE OF INFORMATION AND RECORDS TO THE SPECIAL COMMISSION

I, Jerome A Wagner, hereby authorize the release to the Special Commission Appointed to Review Abuse Allegations of all records in the files of the Archdiocese of Milwaukee which pertain to me, including but not limited to mental health/psychiatric treatment records and drug and alcohol treatment records. I further authorize the Special Commission Appointed to Review Abuse Allegations to examine and copy any records or information contained in the files of the Archdiocese of Milwaukee which are relevant to me. A reproduced copy of this Consent Form shall be as valid as the original.

This disclosure is being made for the purposes of a review and investigation of the Archdiocese of Milwaukee and any subsequent proceedings. Unless revoked earlier, this consent regarding records is effective until two (2) years from the date of signature. I understand that I may revoke this consent regarding records at any time except to the extent that the Archdiocese of Milwaukee has already acted upon my consent. I further understand that information obtained as a result of this consent cannot be retrieved and may be used after the expiration date of the consent or its revocation.

I hereby release the Archdiocese of Milwaukee from all legal responsibility or liability that may arise from actions taken in reliance on this authorization. I further release from all legal responsibility or liability all Archdiocesan psychologists, including Dr. Elizabeth Piasecki, Dr. Barbara Reinke, and anyone associated with Project Benjamin, as well as all legal counsel for the Archdiocese, and authorize such parties to review said records and to freely communicate with the Special Commission. I understand that I am entitled to receive a copy of this authorization form, as well as a copy of any information with is obtained as a result of this informed consent.

This information has been disclosed to you from records whose confidentiality is protected by Federal law. Federal regulations (42 CFR Part 2) prohibit you from making any further disclosure of it without the specific written consent of the person to whom it pertains, or as otherwise permitted by such regulations. A general authorization for the release of medical or other information is NOT sufficient for this purpose. These records shall be maintained in a secure manner to make sure that unauthorized persons do not have access to the records.

Signature: Jerome Wagner

Date Signed: 4-12-2002

Prot. No. 421/04-20767

June 15, 2007

Most Reverend Angelo Amato, SDB
Secretary
Congregation for the Doctrine of the Faith
Palazzo del S. Uffizio
00120 Vatican City

Your Excellency:

The above captioned case involves Reverend Jerome Wagner. It was originally submitted as a request to conduct a penal trial. Faced with this potential, Father Wagner decided to submit a petition for voluntary laicization. In that petition he acknowledged that his sinful actions had led to his inability to continue in priestly ministry. Father Wagner has been under a penal precept forbidding any exercise of public ministry and any public presentation of himself as a cleric.

It has recently come to my attention that he has acted in violation of this penal precept by presiding at a funeral service. he is known in the region where the FUNERAL service was celebrated (because he has remained in the vicinity of his last assignment), so the newspapers reported on it and referred to him as "Reverend" Wagner. While he cannot be held accountable for what the news reporter did, he has obviously not taken this whole matter seriously, and it appears he will continue to act as he deems fit regardless of any action on my part. He recognized that what he had done was wrong and reported it to one of the priests in the area, but was more concerned about the fact that the service had been reported on than the fact that he had violated the precept.

The faithful who have learned of these actions on his part are confused and scandalized. As noted, he has not moved from the immediate vicinity of his last parish assignment, and that parish cannot move toward healing while Father Wagner does not observe the restrictions on his ministry. I am afraid that the delay in response to his request for laicization has led to more complacency on his part regarding the seriousness of what his behavior has caused the Church.

Most Reverend Angelo Amato, SDB
Congregation for the Doctrine of the Faith

Therefore, I resubmit my support that the petition for laicization presented by Reverend Jerome Wagner be granted an affirmative response.

Thank you again for your consideration of this case and for the ongoing ministry of the Congregation.

With sentiments of deepest esteem and prayerful best wishes, I am,

Sincerely yours in Christ,

Most Reverend Timothy M. Dolan
Archbishop of Milwaukee

SERVANTS of the PARACLETE

This information has been disclosed to you from records whose confidentiality is protected by Federal Law. Federal Regulation (42 CFR, Part 2) prohibits you from making any further disclosure of it without the specific written consent of the person to whom it pertains, or as otherwise permitted by such regulations. A general authorization for the release of medical or other information is NOT sufficient for this purpose.

ST. MICHAEL'S COMMUNITY

September 8, 1994

Dr. Liz Piasecki
Diocese of Milwaukee
Archbishop Cousins Catholic Center
P.O. Box 07912
Milwaukee, WI 53207-09

Dear Dr. Piasecki:

Enclosed is the completed evaluation that we did for Father Jerome Wagner at St. Michael's during the week of August 29, 1994. This information and the documents contained herein are being released in accordance with statutory requirements regarding confidentiality and may not be re-released without the written consent of Father Wagner. *This report is for your eyes only.* St. Michael's keeps these records for five years. If you need access to these records during that time, the proper release of information documentation can be provided by St. Michael's.

I would like to point out that the individual reports which are enclosed were dictated by the evaluators when they finished with their session with Jerome. Sometimes there may appear to be a discrepancy between the individual reports and what took place in the feedback session. The reason for this is that the core team meets just prior to the feedback, puts all of the individual reports together, constructs a profile of the combined reports, and then makes recommendations accordingly.

In addition to the Evaluation Feedback Team from St. Michael's, Father Wagner and Bishop Sklba were present for the feedback session on Thursday, September 1, 1994 at 10:00 a.m.

The Team reviewed the reports of the individual evaluators and discussed possible recommendations that we would make to Father Wagner and Bishop Sklba. In addition to these recommendations, I would refer you to the conclusions in Dr. [redacted] report.

We did not think that this was the appropriate time for Jerry to enter into a residential treatment program but we did not want to rule it out as a possibility for the future. The principal reasons behind our decision were that 1) Jerry did not want to come into a residential program at this time, 2) he has talked with his therapist at home and outlined a tentative treatment plan which

they both feel is feasible, 3) he feels that everyone else is making decisions for him at this time and he very much wants to continue to live in his home and finally, the combined list above really does not put a person in the proper mind-set whereby residential treatment serves as a positive therapeutic experience. We did spend a great deal of time talking about Jerry's ego-strength and felt that he could work outpatient if he applied himself.

We recommended:

1) regular individual psychotherapy
2) regular spiritual direction
3) contact with a person in the Archdiocese who could serve as an advisor/monitor to Jerry during this time. This person should be in touch with Jerry on a regular basis and be able to talk with the therapist and spiritual director.

IF JERRY IS ALONE WITH A MINOR AGAIN AND/OR GIVES ALCOHOL TO A MINOR, WE STRONGLY RECOMMEND THAT HE BE PUT ON ADMINISTRATIVE LEAVE AND ASKED TO PLACE HIMSELF IMMEDIATELY IN A RESIDENTIAL TREATMENT PROGRAM.

We did not recommend that Jerry be removed from active ministry. Whether or not this happens is not a recommendation that we ordinarily make but after reading the report, we leave that decision to the discretion of the person's Ordinary.

I do want to reiterate that Residential Treatment is an option but should take place only if Jerry sees it as something he wants to do. This decision should be arrived at in conjunction with his Ordinary, his therapist, his spiritual director and the Archdiocesan Response to Sexual Abuse Team.

Thank you for the opportunity to work with Jerry and the Archdiocese. If you have any questions about the enclosed, please refer them either to me or Dr. [redacted]

Sincerely,

[redacted] s.P., LCSW, D.Min.
Clinical Director

Enclosures

cc: Reverend Jerome Wagner
Mr. Jerald Boyle

PRIVILEGED AND CONFIDENTIAL

November 27, 1993

To: Archbishop Rembert Weakland
From: Elizabeth C. Piasecki, PsyD.
Coordinator, Archdiocesan Response to Sexual Abuse

RE: Rev. Jerome Wagner

On November 17, 1993, at the Archbishop's request, Fr. Len Barbian and myself met with the Assistant District Attorney for Waukesha County, Mr. Steve Santanerio and with the police chief of Fond du Lac, Mr. Dan Bornd regarding Rev. Jerry Wagner. The purpose of these meetings was to ascertain if there were any current complaints of misconduct of any kind against Fr. Wagner.

Assisstant DA Santanerio reported to us that Fr. Wagner's file has been lost. He believes it may have been discarded when there were no charges filed against Fr. Wagner. Subsequently, he could provide no documented detailed information regarding the agreement his office made with Atty. Gerry Boyle in this matter. I did provide Mr. Santanerio with a copy of a press release to Marie Rohde dated in February of 1993. It outlined the broad guidelines which the Archdiocese has understood to be true in terms of this case. Mr. Santanerio took exception to that report, indicating that he "was sure" that the agreement specified that Fr. Wagner not be reassigned to a ministry in which there would be contact with minor children. When Fr. Barbian and I both indicated that we had never heard of that stipulation in this case, Mr. Santanerio reiterated again his conviction that that restriction was part of the agreement. Mr. Santanerio then checked his computer to see if there were any complaints currently. There were none.

On the same day, Fr. Barbian and I met with Police Chief Bornd in Fond du Lac. Chief Bornd pulled a copy of the agreement and the police report from his drawer. Chief Bornd indicated he had received this material from "someone in Oconomowoc" and believes it was sent to the prior police chief when Fr. Wagner was reassigned to Fond du Lac because "someone in Oconomowoc" had personal feelings regarding Fr. Wagner's reassignment. Chief Bornd indicated that basically only he and the prior police chief knew of the matter although he did caution one deputy when the deputy's son was accompanying Fr. Wagner on an outing. Chief Bornd also indicated that Marie Rohde had been in Fond du Lac talking with a Fond du Lac reporter several months ago about this case.

PRIVILEGED AND CONFIDENTIAL

Chief Bornd read the agreement to Fr. Barbian and myself. The agreement basically stated that Fr. Wagner would continue in spiritual direction and psychological counseling. The Archbishop would be personally responsible for Fr. Wagner's continued personal growth. In addition, Fr. Wagner would conduct a parish workshop on the dangers and damages of addiction to alcohol. There was no stipulation that Fr. Wagner be reassigned to a ministry with restrictions on access to children.

Chief Bornd also indicated that Fr. Wagner was very well liked and respected in Fond du Lac. There have been no complaints about him. Chief Bornd told us that he was aware that Fr. Wagner had given some motorcycle rides to a 12 year old boy in Fond du Lac. Chief Bornd, however, assured us that there was no hint of any kind of misconduct in that situation.

Subsequent to these meetings, I did discuss the information that we received with Fr. Wagner personally. He indicated that he had no copy of the agreement and referred me to Atty. Boyle. I called Mr. Boyle, discussed the situation with him, and requested that the Archdiocese be supplied with a copy of the agreement. Mr. Boyle had concerns about the privileged nature of that material. On Nov. 16, Mr. Boyle's secretary called with a message from him. Mr. Boyle had decided to meet personally with Atty. Santanerio to refresh his memory of the agreement worked out between himself and the District Attorney's office in this case. Following that meeting, Atty. Boyle will be in contact with the Archdiocese regarding whether or not a copy of the agreement should be provided to us given the attorney/client privilege that exists between himself and Fr. Wagner.

cc: Bishop Richard Sklba
Rev. Thomas Venne
Mr. Matt Flynn

WISCONSIN
WAUKESHA COUNTY UNIFORM
SUPPLEMENTAL REPORT

100 TYPE OF REPORT: [X] OFFENSE/INCIDENT [] ARREST [] PROSECUTION [] TRAF. ACC. [] CITATION

101 COMPLAINT NO. [redacted]

CITY OF OCONOMOWOC POLICE
OCONOMOWOC, WI 53066

102 RELATED COMPL NOS. [] Y [X] N

103 DATE/TIME 02-24-86 1300 hr

104 PAGE 1 OF 2

105 SUBJECT OF REPORT: Interview with SUSPECT

106 DEFENDANT Father Jerry Wagner

107 ITEM NO.

101 [redacted]

Per a pre-arrangement between the defendant, his councell and the district attorney office, the suspect FATHER JERRY WAGNER caem to this office at 11:00AM this date with attorney JERRY BOYLE and was prepared to give this oficer the names of all young boys with whom he has had contact either with driking or sexually orientated. AFTER WAIVER OF HIS RIGHTS and in the company of his attorney he indicated the fo-llowing contact with the following boys:

[redacted] Information is correct as indicated in [redacted] statement of 9-3-85.

[redacted] Never has given him alcohal...Has been camping with his several times and had him at the rectory at least once..Only contact was one time while camping, he did "cradle him". This was explained where in his arm (Wagner) would be under the head and/or shoulders of the boy so as to sort of cradle him in his arms while the boys was sleeping.

[redacted] Also never any alcohal, has "cradled" him several times while the boy was asleep while on camping trips.

[redacted] Has had him at the rectory and has given him alcohal, however [redacted] was 18 years old at the time. No other contact.

[redacted] Agrees with the statements given by [redacted] to this officer on 9-6-85, including the incident at the motel in Brookfield. He states only possible contact was when they were watching TV and [redacted] was sittin in front of him and leaned back with his head against Wagners chest. Wagenr indicates he thought it was only about 4 or 5 drinks of Scotch and mix rather than 8 or 10, however agrees that [redacted] was drunk. (FATHER WAGNER DESCRIBED A SCOTCH AS.....TAKE A GLASS, PUT IN SEVERAL ICE CUBES, FILL ABOUT HALF FULL OF SCOTCH AND REST OF WATER OR OTHER MIX.).
In addition there wre about 5 ot 6 times that [redacted] drank alcohal at the rectory with father Wagner. This would be either beer or Scoth & mix

[redacted] This boy is now 19 years old and was 16 or 17 years old at the time. He is from [redacted]. Several times he has come to Oconomowoc to visit and stayed over with Fathe Wagner. On the 3 or 4 times that he has stayed over at the rectory, Wagner has given him drinks. On at least one occasion, [redacted] was laying on top of Wagner in a sexually orientated position, however, Father Wagner states they always either wre fully clothed, or at least had gym shorts on.

[redacted] One time staed at the recdory, denies any alcohal or touching.

[redacted] One time gone camping, denies any alcohal or touching.

[redacted] One time camping, denies alcohal or touching.

(Continued on page Two)

108 OFFICER(S)/PREPARER(S) [signature]

111 SUPERVISOR/REVIEWER [signature]

112 [X] INIT INTV [X] SUSP INTV [] WIT INTV [] LINE-UP [] EVIDENCE COLLECTION [] FGR PRT [] TELE-COM [] VIC INTV [] STATEMENT [] PHOTOS [] OTHER

113 TIME SPENT

114 COPIES TO

FORM NO 8/85

ADOM047181

WISCONSIN
WAUKESHA COUNTY UNIFORM
SUPPLEMENT REPORT

100 TYPE OF REPORT: [X] OFFENSE/INCIDENT [] ARREST [] PROSECUTION [] TRAF. ACC. [] CITATION

101 COMPLAINT NO. [redacted]

CITY OF OCONOMOWOC POLICE
OCONOMOWOC, WI 53066

102 RELATED COMPL NOS. [] Y [X] N

103 DATE/TIME 02-24-86

104 PAGE 2 OF 2 PAGE

105 SUBJECT OF REPORT: Interview with Suspect

106 DEFENDANT: FATHER JERRY WAGNER [redacted]

107 ITEM NO. | 108

[redacted] One time camping...when he was about 16 years old, This was at Mauthy Lake in northern kettle moraine. It was during Easter week. They went up on his motorcycle and his tow behind cydle camper They stayed overnight one night. The arrived around noon and left the following morning. They took along one 24 can case of beer which they drank between them. Father wagner staes that he drank abou 8 beers and [redacted] drank about 16 beers. He was drunk. Father Wagner denies anything sexually orientated other than while they were sleeping in the camper in seperate sleeping bags, at one time he did have his hand on [redacted] hip.

[redacted] about 17years old, last spring was drinking in the Recoory with him. no sexual contact.

[redacted] about 17 years old has been drinking in the Rectory with him no sexual contact.

Father WAGNER staes that this is the only boys that he can think of. As per our previous agreement, an investigation will be conducted to determine if the information given is complete and truthful and as soon as that investigation is completed, the information will be passed on to Dss's D.A. Centinerrio.

COMPLAINT NO.

109 SIGNATURE (STATEMENT ONLY)

110 OFFICER/PREPARER

111 SUPERVISOR/REVIEWER

112 [] INIT INTV [X] SUSP INTV [] WIT INTV [] LINE-UP [] EVIDENCE COLLECTION [] FGR PRT [] TELE-COM [] VIC INTV [] STATEMENT [] PHOTOS [] OTHER

113 TIME SPENT

114 COPIES TO:

FORM NO. 8-85

ADOM047182

Entry for of Fr. Jerome Wagner
By Barbara Reinke

April 29, 2002

I spoke with [redacted] She reported that she and her husband were youth group advisors from 1986 to 1990 at St. Louis Parish in Fond du Lac. At the time, she knew nothing about allegations against Fr. Jerry Wagner, but nevertheless found some of his behaviors discomforting. "It made me uneasy." She also notes that she had attended Fr. Wagner's bible studies in the past twelve years and "he has increased my faith." During the years when she was youth advisor, she noted some "really close relationships with some boys." There was also an occasion when she had trouble locating her own son, and eventually found him in the rectory with Fr. Wagner. Her son reported that Fr. Jerry had pinned his hands behind his back and had his dog lick the son's face. She had recently asked her son if he was aware of any allegations of sexual abuse against Fr. Wagner, which he is not. I told [redacted] that I would be passing on her report to Dave Zimprich, so that he can look into whether Fr. Wagner currently has access to teenage boys as part of his monitoring program.

BR:saz

c: Dave Zimprich

CONFIDENTIAL

CHRONOLOGY

(Jerry Wagner)

1. 1985: 15 year old goes to Oconomowoc Police with allegations going back to when he was 13.

8/85-3/86: Oconomowoc police investigate allegations of giving alcohol to minors with the intention of sexual solicitation

No charges are issued. Jerry admits to giving alcohol to minors. He enters treatment and is transferred to St. Louis in Fond du Lac in an arrangement worked out by Gerry Boyle and the Ass't DA in Waukesha County, Steven Centenario.

Archdiocese does not see police report. Relies on Gerry Boyle's work and civil investigation.

2. November '93: I receive calls from [redacted] who had been contacted by [redacted] and asked about Jerry Wagner. They are told [redacted] has a police report in which Jerry admits to being in "a sexually oriented position" with a minor. They ask if he is still assigned as [redacted] has reported to them. [redacted] also tells them she has been to Fond du Lac and "dug up some dirt up there."

Archbishop is informed.

3. November 17, 1993: Archbishop sends Len Barbian and myself to see DA Centenario in Waukesha and Police Chief Bord in Fond du Lac to inquire about what happened in 1985 in Waukesha and to see if Fond du Lac police have any information about current activity.

Centenario: Tells us Jerry's file has been "lost"
He can't remember the agreement but is "sure" that Jerry was to be reassigned to a ministry in which there would be no contact with children.

Police Chief in Fond du Lac: pulls the agreement and the police report from his lower desk drawer. Says he received this material from "someone in Oconomowoc" who has personal feelings regarding Jerry's reassignment. Declines to show us the police report because it contains juvenile names. Says he and the prior police chief knew of the situation and were watching Jerry who was well liked. Did tell one deputy when the deputy's son was accompanying Jerry on an outing. Confirmed that Marie was in Fond du Lac talking with a Fond du Lac reporter several months ago about Jerry.

I gave report on these visits to the Archbishop and called Gerry Boyle and asked for copy of the police report with Jerry Wagner's permission. Jerry Wagner reports that he has never seen the police

CONFIDENTIAL

report. Gerry Boyle refuses to turn over police report to the Archbishop but says he will take care of the matter.

11/29/93 Gerry Boyle's office calls to say that Boyle has personally met with the DA in Waukesha and refreshed his memory on the agreement made in 1986. [redacted] may proceed at her own peril" if she chooses to publish a newspaper article about Jerry Wagner: Boyle. I notified Jerry Wagner of this situation.

12/6/93: I have interview with [redacted] who asks about this situation. Rosemary Murphy is present with me.

5/4/94: Matt Flynn, Rosemary, and I meet with [redacted] at the Journal to go over Marie's upcoming series on pedophilia. Jerry is not mentioned at that meeting.

7/15/94: Original complainant's aunt calls looking for help for complainant [redacted]. Family has no insurance for him. Archbishop authorizes treatment. I make contact with complainant who is now 24.

7/17/94: I meet with complainant who gives me police report. Sent to the family by [redacted] Complainant says he now understands because he is an adult that Jerry's intent with him in giving him alcohol was sexual. Also reports an incident by a priest of LaCrosse diocese when he was with Jerry. Wants name to report that priest.

Archbishop sees police report for the first time.

7/22/94: Met with complainant's mother who is very upset, talks of suing 'somebody", discusses how hurt she is because she was shunned by parishioners after going to the police.

Archbishop agrees to expand investigation (evaluation).

8/2/94: Evaluation of Jerry begun. Admits to same behavior in Fond du Lac up to one year ago. 1988: took [redacted] son, age 16, on overnight trip. Has given alcohol to 18-21 year olds " a half dozen" times post 1989. Had "party night" at the rectory with all male high school seniors. Most got intoxicated-- one year ago. Admits to giving alcohol for sexual intent.

Jerry sees police report for the first time on this night. Doesn't really want to read it but evaluators ask that he do so so that they can go over some of the information with him.

8/3/94: Chancellor notified of current activity. Concern is raised over suicide possibility. Archbishop is notified on vacation. Restrictions placed on contact with minors and use of alcohol in presence of minors in letter sent by Barbara Anne. Holds for evaluation placed for 3 different weeks at St. Michael's and St. Luke's Institute. Tom Venne refuses to tell Jerry of Archbishop's directives re: interim living situation.

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8/4/94: I call Jerry to confirm his availability for evaluation. Jerry is says he is unwilling to leave town for evaluation.

Crisis team meeting is set for Archbishop's return.

8/11/94: Priest friend of Jerry's comes in to see Barbara because he has seen her letter to Jerry. Seeks clarification on why Jerry was reassigned after Oconomowoc investigation. Told police report seen by teh Archbishop for the first time recently. Priest friend says he has been extremely worried about Jerry and his behavior ever since he was reassigned. Volunteers to drive him to treatment facility in St. Louis and be supportive.